



## BULKY DOCUMENTS

(Exceeds 100 pages)

Proceeding/Serial No: **92042082**

Filed: 4/19/2010

Title: Petitioner's Notice of Filing Testimonial

Deposition of:

- 1) Redacted- Alexandr Bekker of April 10, 2008
- 2) Alexandr Bekker of October 15, 2009
- 3) Name of Confidential Witness Redacted of April 15, 2008
- 4) Name of Confidential Witness Redacted of June 11, 2008
- 5) Arkadiy Golub of April 17, 2008
- 6) Arkadiy Golub of October 15, 2009
- 7) Leon Sheikhet of April 16, 2008
- 8) Sofya Sheydvasser of April 17, 2008

**Part 3 of 4**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 2,479,287  
Issued on August 21, 2001

FOUR SEASONS DAIRY, INC.,

Petitioner,

- against -

INTERNATIONAL GOLD STAR  
TRADING CORP.,

Registrant

Cancellation No.: 92042082

Mark: BABUSHKA'S RECIPE

Reg. No. 2,479,287

Filed: December 7, 1999

Issued: August 21, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451 on the date shown

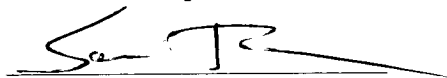
below:

April 16, 2010

(Date)

Samuel Friedman

Name of Representative



Signature

April 16, 2010

Date of Signature

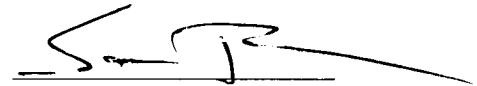
**PETITIONER'S NOTICE OF FILING TESTIMONIAL DEPOSITION OF  
ARKADY GOLUB OF OCTOBER 15, 2009 AND RELATED EXHIBITS**

Petitioner, Four Seasons Dairy, Inc., pursuant to 37 C.F.R. §§ 2.123 and 2.125, gives notice of filing of the certified transcript of the testimonial deposition of Arkadiy Golub, taken on October 15, 2009, together with the accompanying exhibits, namely Petitioner's Trial Exhibits Nos. 301 - 303.

True copies of the transcript and exhibits were previously served on counsel for Registrant on January 20, 2010.

Dated: April 16, 2010  
New York, New York

Respectfully submitted,

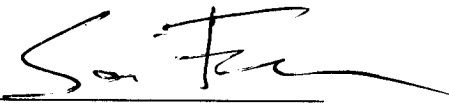
A handwritten signature in black ink, appearing to read 'S. Friedman', is written over a horizontal line.

Samuel Friedman, Esq.  
225 Broadway, Suite 1804  
New York, New York 10007  
Tel: (212) 267-2900  
Attorney for Petitioner  
FOUR SEASONS DAIRY, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on the date set forth below, a true and correct copy of the foregoing Petitioner's Notice of Filing Testimonial Deposition of Arkadiy Golub in Cancellation Proceeding No. 92042082 entitled Four Seasons Dairy, Inc. v. International Gold Star Trading Corp., was, pursuant to stipulation served by email on counsel for Registrant, addressed as follows:

Roger S. Thompson  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue  
New York, New York 10176  
Email: rthompson@cplplaw.com.

  
\_\_\_\_\_  
Samuel Friedman

April 16, 2010  
Date



# ORIGINAL

2 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
3 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD  
4

5 FOUR SEASONS DAIRY, INC., )  
6 )  
7 Petitioner, )  
8 ) Cancellation No.

9 ) 92/042,082

10 vs. ) Mark: Babushka's  
11 Recipe

12 INTERNATIONAL GOLD STAR ) Reg. No.  
13 TRADING CORP., ) 2,479,287  
14 TRADING CORP., )  
15 Registrant. )  
16 -----)

17

18

19 CONTAINS TRADE SECRET/COMMERCIALY SENSITIVE  
20 PORTIONS

21

22 CONFIDENTIAL EXAMINATION OF ARKADY GOLUB

23 New York, New York

24 Wednesday, October 15

25 \*\*\*\*\*

26 BARRISTER REPORTING SERVICE, INC.

27 120 Broadway

28 New York, N.Y. 10271

29 212-732-8066

30

1

2 A P P E A R A N C E S:

3

4

SAMUEL FRIEDMAN, ESQ.

Attorneys for Petitioner

5

225 Broadway, Suite 1804

New York, New York 10007

6

BY: SAMUEL FRIEDMAN, ESQ.

7

8

9

COHEN, PONTANI, LIEBERMAN &amp; PAVANE, LLP

10

Attorneys for Registrant

550 Fifth Avenue

11

New York, New York 10176

12

BY: ROGER S. THOMPSON, ESQ.

13

14

15

16 ALSO PRESENT:

17

Bella Kremmentsova, Russian Interpreter

18

Alexander Bekker

19

20

21

22

23

24

25

1 GOLUB

2 B E L L A K R E M E N T S O V A,

3 called as the official interpreter in this  
4 action, was duly sworn to faithfully  
5 translate the questions to the witness from  
6 English to Russian and the answers from  
7 Russian to English.

8

9 A R K A D Y G O L U B,

10 having been first duly sworn before a Notary  
11 Public of the State of New York, was examined  
12 and testified as follows:

13

14 EXAMINATION BY

15 MR. FRIEDMAN

16 Q What is your name?

17 A Arkady Golub.

18 Q What is your address?

19 A 160 Colony Avenue, Staten Island, New  
20 York 10306.

21 MR. FRIEDMAN: I'd like to mark  
22 this as Petitioner's 301.

23 (Whereupon Notice of Taking  
24 Testimony at Deposition of  
25 Arkady Golub was marked

1 GOLUB  
2 Petitioner's Exhibit 301 for  
3 identification as of this date.)

4 MR. THOMPSON: The attorneys  
5 have stipulated that in order to  
6 comply with the rules of the TTAB, we  
7 have agreed amongst ourselves to make  
8 sure that any additional labeling or  
9 marking of the exhibits which are  
10 required by TTAB rules, may be  
11 accomplished outside the presence of  
12 the reporter between counsel.

13 MR. FRIEDMAN: We've also  
14 agreed that I may maintain the  
15 original, that I may maintain custody  
16 of the original exhibits.

17 MR. THOMPSON: Yes.

18 MR. FRIEDMAN: And otherwise,  
19 the usual stipulations as we have  
20 agreed at prior depositions in this  
21 matter.

22 MR. THOMPSON: Fine by me.

23 Q. I'm showing you what has been marked  
24 as Petitioner's 301, which I represent is a  
25 notice of taking testimony at deposition of

1 GOLUB

2 Arkady Golub.

3 Are you Arkady Golub?

4 A. Yes.

5 Q. Did you previously give deposition  
6 testimony in this case?

7 A. Yes.

8 Q. Have you had an opportunity to review  
9 the transcript of your testimony?

10 A. Yes.

11 Q. Did you have an opportunity to do so  
12 with the aid of a Russian/English  
13 interpreter?

14 A. Yes.

15 Q. Have you made any corrections to the  
16 transcript?

17 A. Yes, there were some corrections.

18 MR. FRIEDMAN: I represent that  
19 I will be filing the original  
20 transcript with the TTAB. For  
21 purposes of this deposition I'd like  
22 to have this marked as Petitioner's  
23 302.

24 (Whereupon three pages of  
25 Corrections to Prior Testimony

1 GOLUB  
2 was marked Petitioner's Exhibit  
3 302 for identification as of  
4 this date.)  
5 Q. For the record, 302 is 3 pages stapled  
6 together. And I ask you if these are the  
7 changes that you have requested?  
8 A. Yes.  
9 Q. On pages 9 and 30 of the transcript?  
10 A. Yes.  
11 Q. And the initials next to the changes,  
12 the AG, are those your initials?  
13 A. Yes.  
14 Q. Did you sign this transcript on page  
15 43?  
16 A. Yes.  
17 Q. By your signature, do you understand  
18 that you are agreeing that this testimony is  
19 accurate?  
20 A. Yes.  
21 Q. During the prior deposition of  
22 April 17, 2,008, you were asked whether you  
23 have any documentation to support your claim  
24 that you worked at Beluga Caviar?  
25 A. Yes.

1 GOLUB

2 Q. At that time in response to the  
3 questioning by Mr. Thompson, you answered  
4 that you did not have any documentation.

5 A. Yes that's how I said.

6 Q. Since that time, did you have an  
7 opportunity to look for any documentation  
8 that you might have?

9 A. Yes.

10 Q. Regarding your employment with Beluga  
11 Caviar?

12 A. Yes.

13 Q. Did you find anything?

14 A. Yes, I did. In my old bills I did  
15 find some documents, yes.

16 Q. Do you have that documentation with  
17 you today?

18 A. Yes.

19 Q. May we see it?

20 MR. FRIEDMAN: I'm going to  
21 give this to counsel to examine before  
22 marking it.

23 MR. THOMPSON: Okay.

24 MR. FRIEDMAN: Off the record.

25 (Discussion held off the

1 GOLUB  
2 record.)

3 MR. FRIEDMAN: Counsel have  
4 conferred and have agreed about the  
5 witness may maintain custody of the  
6 original documents that he brought  
7 today and we are marking photocopies.

8 MR. THOMPSON: I agree with  
9 that.

10 MR. FRIEDMAN: I'm going to go  
11 ahead and mark these collectively as  
12 one exhibit.

13 MR. THOMPSON: Fine.

14 MR. FRIEDMAN: Please mark that  
15 as 303.

16 (Whereupon 1996 W2 Form for  
17 Arkady Golub was marked  
18 Petitioner's Exhibit 303 for  
19 identification as of this date.)

20 MR. FRIEDMAN: For the record,  
21 303 is six pages stapled together.  
22 I'm showing them to the witness.

23 Q. Mr. Golub, what are these papers that  
24 have been marked as 303?

25 A. This is my W2 form.



1 GOLUB

2 Q. On the first page, that is your W2  
3 form from what year?

4 A. From year 1996.

5 Q. From where did you receive this form?

6 A. I received this form from the company  
7 Beluga Caviar.

8 Q. Was it in connection with your  
9 employment with Beluga Caviar?

10 A. Yes, that's what it was, yes.

11 Q. Is this first page of this exhibit in  
12 the same condition today as it was when you  
13 received it?

14 A. Yes.

15 MR. THOMPSON: I will just  
16 object to form since the exhibit is  
17 the copy and not the original. I just  
18 ask if you would make clear that his  
19 original document is in the same form,  
20 not the copy of the document.

21 MR. FRIEDMAN: Very well.

22 Q. I'm showing the witness the original  
23 document?

24 A. Yes.

25 Q. Which I would note that counsel has

1 GOLUB

2 had an opportunity to inspect?

3 A. Yes.

4 Q. The later pages of Exhibit 303, what

5 is the second page?

6 A. The second page represents the year

7 1997.

8 Q. The W2 form?

9 A. W2 form which represents the year

10 1997.

11 Q. Did you receive it from Beluga Caviar?

12 A. Yes.

13 Q. What is on the third page?

14 A. That's the form, W2 form. From the

15 year 1998.

16 Q. Is that from Beluga Caviar?

17 A. Yeah, this is from Beluga Caviar.

18 Q. What is on the following page?

19 A. This is a W2 form from the year 1999.

20 Q. Is that from Beluga Caviar?

21 A. Yes, this is also from Beluga Caviar.

22 Q. What is on the next page?

23 A. This is also a W2 form.

24 Q. For what year?

25 A. From the year of 2000.

1 GOLUB

2 Q. Is it from Beluga Caviar?

3 A. And this is from Beluga Caviar.

4 Q. What is on the next page, the final  
5 page?

6 A. This is also the W2 form for the year  
7 2001 from the company Beluga Caviar.

8 Q. Did you receive all of these documents  
9 in connection with your employment for Beluga  
10 Caviar?

11 A. Yeah, that's correct.

12 Q. You previously testified that it was  
13 not part of your responsibility at Beluga  
14 Caviar to order cheese products.

15 A. Yes.

16 Q. Did you have an opportunity during the  
17 years that you were employed at Beluga  
18 Caviar, to see if Beluga Caviar sold cheese  
19 products?

20 A. Yes.

21 Q. Did Beluga Caviar sell cheese products  
22 during the years that you worked there?

23 A. Yes.

24 Q. Did Beluga Caviar sell a type of  
25 cheese known as yogurt cheese?

1 GOLUB

2 A. Yes.

3 Q. What types of yogurt cheese did Beluga  
4 Caviar sell while you were working at Beluga  
5 Caviar?

6 A. It was a regular yogurt cheese, it was  
7 a tomato yogurt cheese and then it was a  
8 jalapeno yogurt cheese.

9 Q. Were these yogurt cheeses sold under  
10 any label?

11 A. Yes, there was a label there.

12 Q. What was the label, the name of the  
13 label?

14 A. I think it was the label called yogurt  
15 cheese Amish.

16 Q. Do you remember the name of the  
17 company?

18 A. I think it was the name health.

19 Q. Was there a brand name on the cheese?

20 A. I don't remember.

21 Q. Was there any name on the cheese?

22 A. Just the flavor of the cheese like the  
23 tomato flavor or the jalapeno flavor.

24 Q. Was there a name of a company called  
25 International Gold Star on the cheese?

1 GOLUB

2 A. No.

3 Q. Does the name Heinis refresh your  
4 recollection?

5 A. Yeah, yes, yes. Heinis. Yeah, that  
6 would be correct.

7 Q. Do you remember if Heinis cheese was  
8 sold by Beluga Caviar in the year 2000?

9 A. Yes.

10 Q. Was it also sold in the year 2001?

11 A. Yes.

12 Q. Did that include the different types  
13 of yogurt cheese that you mentioned?

14 A. Yes.

15 Q. Including tomato yogurt cheese?

16 A. Yes.

17 Q. And jalapeno yogurt cheese?

18 A. Yes.

19 MR. FRIEDMAN: I'm done with my  
20 questions.

21 EXAMINATION BY

22 MR. THOMPSON

23 Q. I have just a few questions, Mr.

24 Golub. With respect to the documents which  
25 are now Exhibit 303, when did you find these

1 GOLUB

2 documents?

3 A. I think I found them a year -- I mean  
4 the month after this deposition, the previous  
5 deposition.

6 Q. So the previous deposition was April  
7 of 2008?

8 A. Yes.

9 Q. So sometime within the next month, by  
10 May of 2008, you found them?

11 A. Yeah, that's correct.

12 Q. Did you communicate the information to  
13 Mr. Friedman that you had found these  
14 documents?

15 A. Yes, I did tell him.

16 Q. Do you remember about when you told  
17 him that?

18 A. I don't remember.

19 Q. Was it shortly after you found the  
20 documents or last week?

21 A. I don't remember exactly how much time  
22 passed after I found them that I told him.

23 Q. But do you remember, was it last week?

24 A. No.

25 Q. Was it more than a week ago?

1 GOLUB

2 A. Yes.

3 Q. Was it more than six months ago?

4 A. I don't remember exactly when did I  
5 tell him that I found the documents.

6 Q. At the time you told Mr. Friedman that  
7 you found the documents, did you give him  
8 copies of the documents?

9 A. Yes.

10 Q. Do you remember when you gave him  
11 copies of the documents?

12 A. I don't remember.

13 Q. Was it more than a week ago?

14 A. Yes.

15 MR. THOMPSON: I will then  
16 object to having these documents  
17 served on me at the deposition if  
18 they've been in counsel's possession  
19 for at least a week and we don't know  
20 how much longer than that.

21 MR. FRIEDMAN: I'm not aware of  
22 an obligation to serve rebuttal  
23 evidence in advance of a witness being  
24 available to authenticate.

25 Q. On any of the documents that are in

1 GOLUB

2 Exhibit 303, is there any indication of what  
3 your position was at Beluga Caviar?

4 A. No, I don't think so.

5 Q. Do you have any other documents in  
6 your possession, other than what we've seen  
7 now in Exhibit 303, that relate to your  
8 employment at Beluga Caviar?

9 A. No.

10 Q. During your previous deposition I  
11 specifically asked you if you had W2 forms  
12 from Beluga. Do you remember that?

13 A. Yes.

14 Q. In response to my question, you said  
15 that you had thrown them in the garbage a  
16 long time ago.

17 A. Yes, I remember.

18 Q. Do you remember what then prompted you  
19 to look to see if you still had them?

20 A. I wasn't looking for them  
21 specifically. I was looking for a credit  
22 card statement for some other reason and then  
23 I found this.

24 Q. In your testimony earlier today, in  
25 response to questioning from Mr. Friedman,



1 GOLUB

2 you indicated that Beluga Caviar sold Heinis  
3 cheeses in 2000, 2001; am I right?

4 A. Yes, that's correct.

5 Q. How do you know the dates, what makes  
6 you confident of those dates in your  
7 testimony?

8 A. I just remember it. I don't remember  
9 the month but I do remember the year.

10 Q. Well, it's my recollection and I could  
11 be wrong, that Beluga Caviar went out of  
12 business in 2002; am I right?

13 A. Yeah, that's correct.

14 Q. Did Beluga Caviar also sell Heinis  
15 cheeses in 2002?

16 A. No.

17 Q. They had stopped selling it in 2001?

18 A. Yeah, they stopped. In 2001 they  
19 stopped ordering it. I don't remember by  
20 which month but there was a time that they  
21 did stop.

22 Q. Do you know if they ordered in 1999?

23 A. I don't remember exactly if they  
24 ordered in 1999.

25 Q. How about 1998?

1 GOLUB

2 A. No. No, I only remember the last two  
3 years.

4 Q. But as I recall your testimony from  
5 your previous deposition, you were not the  
6 person who was responsible for ordering  
7 cheese; am I right?

8 A. Yeah, I was not the one ordering  
9 cheese.

10 Q. Did you see all of the products that  
11 came in through deliveries to Beluga?

12 A. Yes.

13 Q. You worked, I presume, then for Beluga  
14 through 2002 I believe is your testimony  
15 before, correct?

16 A. Yes.

17 Q. The last W2 form you had was for 2001?

18 A. It was closed I think in January. I  
19 think it was closed in January.

20 Q. That would be January of 2002?

21 A. After the New Year. I think after the  
22 New Year.

23 Q. Well, the whole year is after the New  
24 Year so could you be a little more specific?  
25 Do you mean immediately after the New Year?

1 GOLUB

2 A. I think it was in January.

3 Q. So you received no W2 form for even  
4 those first few weeks of 2002?

5 A. No.

6 MR. THOMPSON: I have nothing  
7 further.

8 MR. FRIEDMAN: I have nothing  
9 further.

10 (Time noted: 11:30 a.m.)

11

12

13

---

ARKADY GOLUB

14

15

16 Subscribed and sworn to before me

17 this day of , 2009.

18

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Notary Public

19

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2

## INDEX

3

WITNESS

EXAMINATION BY

PAGE

4

5 Arkady Golub

MR. FRIEDMAN

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6

MR. THOMPSON

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## EXHIBITS

9

PETITIONER'S

FOR IDENTIFICATION

DESCRIPTION

PAGE

10

11 301

Notice of Taking Testimony  
at Deposition of Arkady Golub

3

12

302

Three Pages of Corrections  
to Prior Testimony

5

13

14 303

1996 W2 Form for Arkady Golub

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## C E R T I F I C A T E

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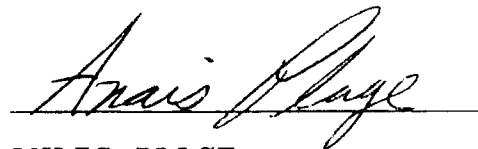
25

I, ANAIS PLAGE, hereby certify that the Examination before Trial of ARKADY GOLUB was held before me on the 15th day of October, 2009; that said witness was duly sworn before the commencement of his testimony; that the testimony was taken stenographically by myself and then transcribed by myself; that the party was represented by counsel as appears herein;

That the within transcript is a true record of the Examination Before Trial of said witness;

That I am not connected by blood or marriage with any of the parties; that I am not interested directly or indirectly in the outcome of this matter; that I am not in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this *2nd* day of *Nov.*, 2009.

A handwritten signature in cursive script, reading "Anais Plage", is written over a horizontal line.

ANAIS PLAGE

1		
2		ERRATA SHEET
	PAGE/LINE	CORRECTION
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<p>about 8:4 14:16 17:25  accomplished 4:11  accurate 6:19  action 3:4  additional 4:8  address 3:18  advance 15:23  after 14:4,19,22 18:21,21,23,25  AG 6:12  ago 14:25 15:3,13 16:16  agree 8:8  agreed 4:7,14,20 8:4  agreeing 6:18  ahead 8:11  aid 5:12  Alexander 2:18  Amish 12:15  amongst 4:7  ANALYSIS 21:3,23  answered 7:3  answers 3:6  anything 7:13  APPEAL 1:3  appears 21:10  April 6:22 14:6  Arkady 1:19 3:17,25 5:2,3 8:17 19:13  20:5,11,14 21:4  asked 6:22 16:11  attorneys 2:4,10 4:4  authenticate 15:24  available 15:24  Avenue 2:10 3:19  aware 15:21  a.m 19:10</p>	<p>came 18:11  Cancellation 1:7  card 16:22  case 5:6  Caviar 6:24 7:11 9:7,9 10:11,16,17,20,21  11:2,3,7,10,14,18,18,21,24 12:4,5 13:8  16:3,8 17:2,11,14  certify 21:3  changes 6:7,11  cheese 11:14,18,21,25,25 12:3,6,7,8,15  12:19,21,22,25 13:7,13,15,17 18:7,9  cheeses 12:9 17:3,15  claim 6:23  clear 9:18  closed 18:18,19  COHEN 2:9  collectively 8:11  Colony 3:19  commencement 21:7  communicate 14:12  company 9:6 11:7 12:17,24  comply 4:6  condition 9:12  conferred 8:4  confident 17:6  CONFIDENTIAL 1:19  connected 21:14  connection 9:8 11:9  CONTAINS 1:16  copies 15:8,11  copy 9:17,20  CORP 1:12,13  correct 11:11 13:6 14:11 17:4,13 18:15  CORRECTION 22:2  corrections 5:15,17,25 20:12  counsel 4:12 7:21 8:3 9:25 21:10,18  counsel's 15:18  credit 16:21  custody 4:15 8:5</p>	<p>E 2:2,2 3:2,2,2 21:2,2  earlier 16:24  employ 21:17  employed 11:17  employment 7:10 9:9 11:9 16:8  English 3:6,7  ERRATA 22:2  ESQ 2:4,6,12  even 19:3  evidence 15:23  exactly 14:21 15:4 17:23  Examination 1:19 3:14 13:21 20:3 21:4  21:12  examine 7:21  examined 3:11  exhibit 4:2 6:2 8:12,18 9:11,16 10:4  13:25 16:2,7  exhibits 4:9,16 20:8</p>
B		F
<p>B 3:2,9  Babushka's 1:9  BARRISTER 1:23  before 1:3 3:10 7:21 18:15 19:16 21:4,5  21:6,12  being 15:23  Bekker 2:18  believe 18:14  Bella 2:17  Beluga 6:24 7:10 9:7,9 10:11,16,17,20,21  11:2,3,7,9,13,17,18,21,24 12:3,4 13:8  16:3,8,12 17:2,11,14 18:11,13  between 4:12  bills 7:14  blood 21:14  BOARD 1:3  brand 12:19  Broadway 1:23 2:5  brought 8:6  business 17:12</p>	<p>D 3:9  DAIRY 1:5  date 4:3 6:4 8:19  dates 17:5,6  day 19:17 21:5,20  deliveries 18:11  deposition 3:24 4:25 5:5,21 6:21 14:4,5,6  15:17 16:10 18:5 20:11  depositions 4:20  DESCRIPTION 20:9  different 13:12  directly 21:16  Discussion 7:25  document 9:19,20,23  documentation 6:23 7:4,7,16  documents 7:15 8:6 11:8 13:24 14:2,14  14:20 15:5,7,8,11,16,25 16:5  done 13:19  duly 3:4,10 21:6  during 6:21 11:16,22 16:10</p>	<p>F 21:2  faithfully 3:4  few 13:23 19:4  Fifth 2:10  filing 5:19  final 11:4  find 7:13,15 13:25  Fine 4:22 8:13  first 3:10 9:2,11 19:4  flavor 12:22,23,23  following 10:18  follows 3:12  form 8:16,25 9:3,5,6,16,19 10:8,9,14,14  10:19,23 11:6 18:17 19:3 20:14  forms 16:11  found 14:3,10,13,19,22 15:5,7 16:23  FOUR 1:5  Friedman 2:4,6 3:15,21 4:13,18 5:18  7:20,24 8:3,10,14,20 9:21 13:19 14:13  15:6,21 16:25 19:8 20:5  from 3:5,6 9:3,4,5,6 10:11,14,16,17,19  10:20,21,25 11:2,3,7 16:12,25 18:4  further 19:7,9</p>
C		G
<p>C 2:2 21:2,2  called 3:3 12:14,24</p>		<p>G 3:9  garbage 16:15  gave 15:10  give 5:5 7:21 15:7  go 8:10  going 7:20 8:10  Gold 1:11 12:25  Golub 1:19 3:1,17,25 4:1 5:1,2,3 6:1 7:1  8:1,17,23 9:1 10:1 11:1 12:1 13:1,24  14:1 15:1 16:1 17:1 18:1 19:1,13 20:5  20:11,14 21:4</p>
		H
		<p>hand 21:20  having 3:10 15:16</p>

health 12:18  
 Heinis 13:3,5,7 17:2,14  
 held 7:25 21:4  
 hereunto 21:19  
 him 14:15,17,22 15:5,7,10

# I

identification 4:3 6:3 8:19 20:9  
 immediately 18:25  
 INC 1:5,23  
 include 13:12  
 Including 13:15  
 INDEX 20:2  
 indicated 17:2  
 indication 16:2  
 indirectly 21:16  
 information 14:12  
 initials 6:11,12  
 inspect 10:2  
 interested 21:16  
 International 1:11 12:25  
 interpreter 2:17 3:3 5:13  
 Island 3:19

# J

jalapeno 12:8,23 13:17  
 January 18:18,19,20 19:2  
 just 9:15,17 12:22 13:23 17:8

# K

K 3:2,9  
 know 15:19 17:5,22  
 known 11:25  
 Kremetsova 2:17

# L

L 3:2,2,9  
 label 12:10,11,12,13,14  
 labeling 4:8  
 last 14:20,23 18:2,17  
 later 10:4  
 least 15:19  
 LIEBERMAN 2:9  
 like 3:21 5:21 12:22  
 little 18:24  
 LLP 2:9  
 long 16:16  
 longer 15:20  
 look 7:7 16:19  
 looking 16:20,21

# M

M 3:2  
 made 5:15  
 maintain 4:14,15 8:5  
 make 4:7 9:18  
 makes 17:5  
 mark 1:9 3:21 8:11,14  
 marked 3:25 4:23 5:22 6:2 8:17,24  
 marking 4:9 7:22 8:7  
 marriage 21:15

matter 4:21 21:17  
 may 4:10,14,15 7:19 8:5 14:10  
 mean 14:3 18:25  
 mentioned 13:13  
 might 7:8  
 month 14:4,9 17:9,20  
 months 15:3  
 more 14:25 15:3,13 18:24  
 much 14:21 15:20  
 myself 21:8,9

# N

N 2:2 3:2  
 name 3:16 12:12,16,18,19,21,24 13:3  
 New 1:20,20,24 2:5,5,11,11 3:11,19  
 18:21,22,23,25  
 next 6:11 10:22 11:4 14:9  
 Notary 3:10 19:18  
 note 9:25  
 noted 19:10  
 nothing 19:6,8  
 notice 3:23 4:25 20:11  
 N.Y 1:24

# O

O 3:2,9  
 object 9:16 15:16  
 obligation 15:22  
 October 1:21 21:5  
 off 7:24,25  
 OFFICE 1:2  
 official 3:3  
 Okay 7:23  
 old 7:14  
 one 8:12 18:8  
 only 18:2  
 opportunity 5:8,11 7:7 10:2 11:16  
 order 4:5 11:14  
 ordered 17:22,24  
 ordering 17:19 18:6,8  
 original 4:15,16 5:19 8:6 9:17,19,22  
 other 16:5,6,22  
 otherwise 4:18  
 ourselves 4:7  
 out 17:11  
 outcome 21:16  
 outside 4:11

# P

P 2:2,2  
 page 6:14 9:2,11 10:5,6,13,18,22 11:4,5  
 20:3,9  
 pages 5:24 6:5,9 8:21 10:4 20:12  
 PAGE/LINE 22:2  
 papers 8:23  
 part 11:13  
 parties 21:15  
 party 21:9  
 passed 14:22  
 PATENT 1:2  
 PAVANE 2:9

person 18:6  
 Petitioner 1:7 2:4  
 Petitioner's 3:22 4:2,24 5:22 6:2 8:18  
 20:9  
 photocopies 8:7  
 PLAGE 21:3,23  
 Please 8:14  
 PONTANI 2:9  
 PORTIONS 1:17  
 position 16:3  
 possession 15:18 16:6  
 presence 4:11  
 PRESENT 2:16  
 presume 18:13  
 previous 14:4,6 16:10 18:5  
 previously 5:5 11:12  
 prior 4:20 5:25 6:21 20:13  
 products 11:14,19,21 18:10  
 prompted 16:18  
 Public 3:11 19:18  
 purposes 5:21

# Q

question 16:14  
 questioning 7:3 16:25  
 questions 3:5 13:20,23

# R

R 2:2 3:2,9 21:2  
 reason 16:22  
 rebuttal 15:22  
 recall 18:4  
 receive 9:5 10:11 11:8  
 received 9:6,13 19:3  
 Recipe 1:10  
 recollection 13:4 17:10  
 record 6:5 7:24 8:2,20 21:12  
 refresh 13:3  
 Reg 1:11  
 Regarding 7:10  
 Registrant 1:14 2:10  
 regular 12:6  
 relate 16:7  
 remember 12:16,20 13:7 14:16,18,21,23  
 15:4,10,12 16:12,17,18 17:8,8,9,19,23  
 18:2  
 reporter 4:12  
 REPORTING 1:23  
 represent 4:24 5:18  
 represented 21:10  
 represents 10:6,9  
 requested 6:7  
 required 4:10  
 respect 13:24  
 response 7:2 16:14,25  
 responsibility 11:13  
 responsible 18:6  
 review 5:8  
 right 17:3,12 18:7  
 ROGER 2:12  
 rules 4:6,10



<div>Russian 2:17 3:6,7 Russian/English 5:12</div> <div>S</div> <div>S 2:2,12 3:2 same 9:12,19 SAMUEL 2:4,6 SEASONS 1:5 second 10:5,6 SECRET/COMMERCIALLY 1:16 see 7:19 11:18 16:19 18:10 seen 16:6 sell 11:21,24 12:4 17:14 selling 17:17 SENSITIVE 1:16 serve 15:22 served 15:17 SERVICE 1:23 set 21:19 SHEET 22:2 shortly 14:19 showing 4:23 8:22 9:22 sign 6:14 signature 6:17 since 7:6 9:16 six 8:21 15:3 sold 11:18 12:9 13:8,10 17:2 some 5:17 7:15 16:22 sometime 14:9 specific 18:24 specifically 16:11,21 stapled 6:5 8:21 Star 1:11 12:25 State 3:11 statement 16:22 Staten 3:19 STATES 1:2 stenographically 21:8 still 16:19 stipulated 4:5 stipulations 4:19 stop 17:21 stopped 17:17,18,19 Subscribed 19:16 Suite 2:5 support 6:23 sure 4:8 sworn 3:4,10 19:16 21:6</div> <div>T</div> <div>T 3:2 21:2,2 taken 21:8 taking 3:23 4:25 20:11 tell 14:15 15:5 testified 3:12 11:12 testimony 3:24 4:25 5:6,9,25 6:18 16:24 17:7 18:4,14 20:11,13 21:7,7 think 12:14,18 14:3 16:4 18:18,19,21 19:2 third 10:13 Thompson 2:12 4:4,17,22 7:3,23 8:8,13</div>	<div>9:15 13:22 15:15 19:6 20:6 three 5:24 20:12 through 18:11,14 thrown 16:15 time 7:2,6 14:21 15:6 16:16 17:20 19:10 today 7:17 8:7 9:12 16:24 together 6:6 8:21 told 14:16,22 15:6 tomato 12:7,23 13:15 TRADE 1:16 TRADEMARK 1:2,3 TRADING 1:12,13 transcribed 21:9 transcript 5:9,16,20 6:9,14 21:11 translate 3:5 Trial 1:3 21:4,12 true 21:11 TTAB 4:6,10 5:20 two 18:2 type 11:24 types 12:3 13:12</div> <div>U</div> <div>U 3:9 under 12:9 understand 6:17 UNITED 1:2 usual 4:19</div> <div>V</div> <div>V 3:2 Very 9:21 vs 1:9</div> <div>W</div> <div>wasn't 16:20 Wednesday 1:21 week 14:20,23,25 15:13,19 weeks 19:4 well 9:21 17:10 18:23 went 17:11 were 5:17 6:22 11:17 12:4,9 18:5 we've 4:13 16:6 WHEREOF 21:19 while 12:4 whole 18:23 witness 3:5 8:5,22 9:22 15:23 20:3 21:6 21:13,19 worked 6:24 11:22 18:13 working 12:4 wrong 17:11 W2 8:16,25 9:2 10:8,9,14,19,23 11:6 16:11 18:17 19:3 20:14</div> <div>Y</div> <div>Y 3:9 Yeah 10:17 11:11 13:5,5 14:11 17:13,18 18:8 year 9:3,4 10:6,9,15,19,24,25 11:6 13:8 13:10 14:3 17:9 18:21,22,23,24,25 years 11:17,22 18:3</div>	<div>yogurt 11:25 12:3,6,7,8,9,14 13:13,15,17 York 1:20,20,24 2:5,5,11,11 3:11,20</div> <div>1</div> <div>10007 2:5 10176 2:11 10271 1:24 10306 3:20 11:30 19:10 120 1:23 13 20:6 15 1:21 15th 21:5 160 3:19 17 6:22 1804 2:5 1996 8:16 9:4 20:14 1997 10:7,10 1998 10:15 17:25 1999 10:19 17:22,24</div> <div>2</div> <div>2,008 6:22 2,479,287 1:12 2000 10:25 13:8 17:3 2001 11:7 13:10 17:3,17,18 18:17 2002 17:12,15 18:14,20 19:4 2008 14:7,10 2009 19:17 21:5,20 212-732-8066 1:24 225 2:5</div> <div>3</div> <div>3 6:5 20:5,11 30 6:9 301 3:22 4:2,24 20:11 302 5:23 6:3,5 20:12 303 8:15,18,21,24 10:4 13:25 16:2,7 20:14</div> <div>4</div> <div>43 6:15</div> <div>5</div> <div>5 20:12 550 2:10</div> <div>8</div> <div>8 20:14</div> <div>9</div> <div>9 6:9 92/042,082 1:8</div>
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# **PETITIONER'S EXHIBIT 301**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 2,479,287  
Issued on August 21, 2001

FOUR SEASONS DAIRY, INC.,

Petitioner,

- against -

INTERNATIONAL GOLD STAR  
TRADING CORP.,

Registrant

Cancellation No.: 92042082

Mark: BABUSHKA'S RECIPE

Reg. No. 2,479,287

Filed: December 7, 1999

Issued: August 21, 2001

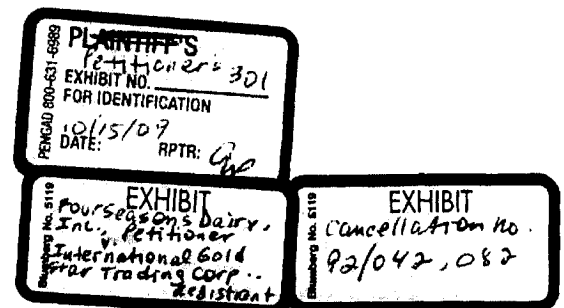
App. Ser. No. 76-174,746

**NOTICE OF TAKING TESTIMONY DEPOSITION OF  
ARKADIIY GOLUB PURSUANT TO 37 CFR SECTION 2.123**

PLEASE TAKE NOTICE, that on Thursday, October 15, 2009, beginning at 10:30 a.m. at the offices of Samuel Friedman, Attorney at Law at 225 Broadway, Suite 1804, New York, New York 10007, testimony will be taken on behalf of Petitioner in the above-captioned cancellation proceeding, pursuant to the Rules of Practice in Trademark Cases, before a Notary Public or some other person authorized by law to administer oaths, of the following witness:

<u>Name</u>	<u>Title</u>	<u>Time</u>
ARKADIIY GOLUB	- Formerly of Beluga Caviar	10:30 am

The above witness has an address of 160 Colony Avenue, Staten Island, New York 10306.



The oral examination will continue until completed.

You are invited to attend and cross-examine.

Respectfully submitted,

Dated: October 9, 2009


By: 

Samuel Friedman, Attorney at Law  
225 Broadway, Suite 1804  
New York, New York 10007  
Tel. (212) 267-2900  
*Attorney for Petitioner*

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, a true and correct copy of the foregoing PETITIONER'S NOTICE OF TAKING TESTIMONY OF ARKADIY GOLUB in Cancellation Proceeding No. 92042082 entitled Four Seasons Dairy, Inc. v. International Gold Star Trading Corp., was pursuant to stipulation served by email upon the law offices of counsel for Registrant, addressed as follows:

Roger S. Thompson, Esq.  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue  
New York, New York 10176  
RThompson@cplplaw.com

  
Samuel Friedman

October 9, 2009  
Date

# **PETITIONER'S EXHIBIT 302**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

Golub

deal with Alex Bekker and Oleg Kesler?

A. Ordered dairy product for Alex and Oleg, butter, butter and Brinza. Every week, one times week I ordered it. Five, 10 cases of butter and that's it.

Q. Okay.

Do you remember any of the brand names that were on the products that you ordered?

A. Yes. I ordered butter and caviar and Babushkino zdorove: *(6/2)*

THE COURT REPORTER: Do you know how to spell it?

THE WITNESS: Z-D-O-R-~~o~~-O-V-A-E. *AG*

THE COURT REPORTER: Thank you.

Q. And when did you start ordering these products from Alex Bekker and Oleg Kesler?

A. '87 I start manager position. I ordered --

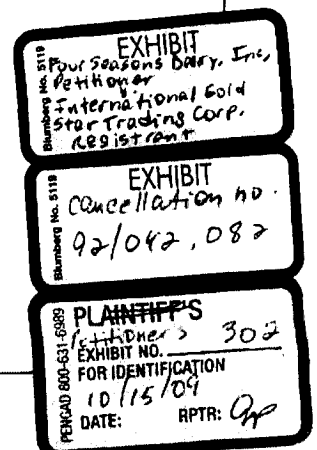
Q. You just said '87?

A. '87, yes.

Q. But I think you meant -- you earlier testified that you started working as

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Golub

store?

MR. FRIEDMAN: I am just going to object with respect to store.

Q. I'm sorry, of the business, Beluga Caviar, were you the manager of the entire company, Beluga Caviar, or only of a part of Beluga Caviar?

A. I don't understand the question.

Q. In other words, did they have different departments inside?

A. No, only one department.

Q. And you were the manager of the entire Beluga Caviar?

A. Yes, yes.

Q. So, for example, there was no fish department?

A. No, ~~no, no~~. *The warehouse was not divided into departments, but we also sold meat and fish. AG*

Q. No meat department?

A. No, no.

Q. Just one department?

A. One department, yes.

Q. So you were in charge as manager, when you became manager, of ordering all of the products for Beluga Caviar --

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Golub

witness did not understand the question, were questions that exceeded the scope of direct examination. I think for the purpose of matters that are relevant to this testimony, the witness does speak sufficient English.

But, you know, perhaps you will take his testimony during your testimony period.

MR. THOMPSON: But as for now, I am concluded with my cross-examination.

MR. FRIEDMAN: Very well.

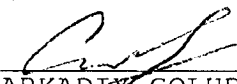
MR. THOMPSON: Do you have any redirect?

MR. FRIEDMAN: I have no further questions.

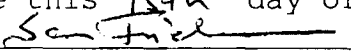
MR. THOMPSON: Thank you very much, Mr. Golub.

MR. FRIEDMAN: Thank you.

(Time noted: 11:03 a.m.)

  
ARKADY GOLUB

Subscribed and sworn to before me this 15th day of October 2008.

  
NOTARY PUBLIC

SAMUEL FRIEDMAN  
Notary Public, State of New York  
No. 31-5006588  
Qualified in New York County  
Commission Expires Jan. 4, 2011

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# **PETITIONER'S EXHIBIT 303**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

# Trade Secret/Commercially Sensitive

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1996

a Control number	1 Wages, tips, other comp. 5574.79	2 Federal income tax withheld
b Employer's ID number 113174655	3 Social security wages 5574.79	4 Social security withheld 345.64
	5 Medicare wages and tips 5574.79	6 Medicare tax withheld 80.84
c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL 32 SECOND AVENUE BROOKLYN NY 11215		
d Employee's social security number 6251		
e Employee's name, address, and ZIP code ARKADY GOLUB 106 AVENUE S, APT #8 BROOKLYN NY 11223		
7 Social security tips	8 Allocated tips	9 Advance EIC payment
10 Dependent care benefits	11 Nonqualified plans	12 Benefits included in box 1
13 See Instrs. for box 13		14 Other
15 Statutory employee	Deceased Pension plan Legal rep. Hshld. emp. Subtotal	Deferred compensation
NY	11-3174655 5574.79	
16 State Employer's state I.D. #	17 State wages, tips, etc.	18 State income tax
19 Locality name NYC	20 Local wages, tips, etc. 5574.79	21 Local income tax

Copy B To Be Filed With Employee's FEDERAL Tax Return Dept. of the Treasury - IRS  
This information is being furnished to the Internal Revenue Service.  
DXA

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1996

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16 State Employer's state I.D. #	17 State wages, tips, etc.	18 State income tax
19 Locality name NYC	20 Local wages, tips, etc. 5574.79	21 Local income tax

Copy 2 To Be Filed With Employee's State, City, or Local Income Tax Return Dept. of the Treasury - IRS  
DXA

EXHIBIT  
Four Seasons Dairy, Inc.  
Arkady Golub  
Beluga Caviar International Gold  
S. M. Trading Corp.  
Resident

EXHIBIT  
Correlation no.  
92-047, D.S.

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1996

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16 State Employer's state I.D. #	17 State wages, tips, etc.	18 State income tax
19 Locality name NYC	20 Local wages, tips, etc. 5574.79	21 Local income tax

Copy C For EMPLOYEE'S RECORDS (See Notice on back.) Dept. of the Treasury - IRS  
This information is being furnished to the IRS. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1996

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c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL 32 SECOND AVENUE BROOKLYN NY 11215		
d Employee's social security number 6251		
e Employee's name, address, and ZIP code ARKADY GOLUB 106 AVENUE S, APT #8 BROOKLYN NY 11223		
7 Social security tips	8 Allocated tips	9 Advance EIC payment
10 Dependent care benefits	11 Nonqualified plans	12 Benefits included in box 1
13 See Instrs. for box 13		14 Other
15 Statutory employee	Deceased Pension plan Legal rep. Hshld. emp. Subtotal	Deferred compensation
NY	11-3174655 5574.79	
16 State Employer's state I.D. #	17 State wages, tips, etc.	18 State income tax
19 Locality name NYC	20 Local wages, tips, etc. 5574.79	21 Local income tax

Copy 2 To Be Filed With Employee's State, City, or Local Income Tax Return Dept. of the Treasury - IRS  
DXA

PLAINTIFF'S  
12-11-96  
EXHIBIT NO. 303  
FOR IDENTIFICATION  
DATE 10/15/99  
HPTL. 92

# Trade Secret/Commercially Sensitive

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1997

a Control number		1 Wages, tips, other comp. 7952.59		2 Federal income tax withheld	
b Employer's ID number 113174655		3 Social security wages 7952.59		4 Social security withheld 493.06	
c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL  32 SECOND AVENUE BROOKLYN NY 11215		5 Medicare wages and tips 7952.59		6 Medicare tax withheld 115.31	
d Employee's social security number [REDACTED] 8251					
e Employee's name, address, and ZIP code ARKADY GOLUB 1763 STILLWELL AVENUE #1R BROOKLYN NY 11223					
7 Social security tips		8 Allocated tips		9 Advance EIC payment	
10 Dependent care benefits		11 Nonqualified plans		12 Benefits included in box 1	
13 See instructions for box 13		14 Other			
15	Statutory employee	Deceased	Pension plan	Legal rep.	Hshld. emp.
NY	11-3174655				7952.59
16 State Employer's state I.D. #		17 State wages, tips, etc.		18 State income tax	
19 Locality name NYC		20 Local wages, tips, etc. 7952.59		21 Local income tax	

Copy B To Be Filed With Employee's FEDERAL Tax Return  
This information is being furnished to the Internal Revenue Service.  
DXA

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1997

a Control number		1 Wages, tips, other comp. 7952.59		2 Federal income tax withheld	
b Employer's ID number 113174655		3 Social security wages 7952.59		4 Social security withheld 493.06	
c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL  32 SECOND AVENUE BROOKLYN NY 11215		5 Medicare wages and tips 7952.59		6 Medicare tax withheld 115.31	
d Employee's social security number [REDACTED] 8251					
e Employee's name, address, and ZIP code ARKADY GOLUB 1763 STILLWELL AVENUE #1R BROOKLYN NY 11223					
7 Social security tips		8 Allocated tips		9 Advance EIC payment	
10 Dependent care benefits		11 Nonqualified plans		12 Benefits included in box 1	
13		14 Other			
15	Statutory employee	Deceased	Pension plan	Legal rep.	Hshld. emp.
NY	11-3174655				7952.59
16 State Employer's state I.D. #		17 State wages, tips, etc.		18 State income tax	
19 Locality name NYC		20 Local wages, tips, etc. 7952.59		21 Local income tax	

Copy 2 To Be Filed With Employee's State, City,  
or Local Income Tax Return  
DXA

This information is being furnished to the IRS. If you are required to file a return, a negligence penalty/other sanction may be imposed on you if this information is taxable and you fail to report it.

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1997

a Control number		1 Wages, tips, other comp. 7952.59		2 Federal income tax withheld	
b Employer's ID number 113174655		3 Social security wages 7952.59		4 Social security withheld 493.06	
c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL  32 SECOND AVENUE BROOKLYN NY 11215		5 Medicare wages and tips 7952.59		6 Medicare tax withheld 115.31	
d Employee's social security number [REDACTED] 8251					
e Employee's name, address, and ZIP code ARKADY GOLUB 1763 STILLWELL AVENUE #1R BROOKLYN NY 11223					
7 Social security tips		8 Allocated tips		9 Advance EIC payment	
10 Dependent care benefits		11 Nonqualified plans		12 Benefits included in box 1	
13 See instructions for box 13		14 Other			
15	Statutory employee	Deceased	Pension plan	Legal rep.	Hshld. emp.
NY	11-3174655				7952.59
16 State Employer's state I.D. #		17 State wages, tips, etc.		18 State income tax	
19 Locality name NYC		20 Local wages, tips, etc. 7952.59		21 Local income tax	

Copy C For EMPLOYEE'S RECORDS (See Notice on back.)  
DXA

## OMB No. 1545-0008 Form W-2 Wage and Tax Statement 1997

a Control number		1 Wages, tips, other comp. 7952.59		2 Federal income tax withheld	
b Employer's ID number 113174655		3 Social security wages 7952.59		4 Social security withheld 493.06	
c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL  32 SECOND AVENUE BROOKLYN NY 11215		5 Medicare wages and tips 7952.59		6 Medicare tax withheld 115.31	
d Employee's social security number [REDACTED] 8251					
e Employee's name, address, and ZIP code ARKADY GOLUB 1763 STILLWELL AVENUE #1R BROOKLYN NY 11223					
7 Social security tips		8 Allocated tips		9 Advance EIC payment	
10 Dependent care benefits		11 Nonqualified plans		12 Benefits included in box 1	
13		14 Other			
15	Statutory employee	Deceased	Pension plan	Legal rep.	Hshld. emp.
NY	11-3174655				7952.59
16 State Employer's state I.D. #		17 State wages, tips, etc.		18 State income tax	
19 Locality name NYC		20 Local wages, tips, etc. 7952.59		21 Local income tax	

Copy 2 To Be Filed With Employee's State, City,  
or Local Income Tax Return  
DXA

# Trade Secret/Commercially Sensitive

## OMB No. 1545-0047 Form W-2 Wage and Tax Statement 1998

a Control number	1 Wages, tips, other comp. 9388.16	2 Federal income tax withheld
b Employer ID number 113174655	3 Social security wages 9388.16	4 Social security tax withheld 562.07
	5 Medicare wages and tips 9388.16	6 Medicare tax withheld 136.13
c Employee's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL 32 SECOND AVENUE BROOKLYN NY 11215		
d Employee's social security number 6251		
e Employee's name, address, and ZIP code ARKADII GOLUB 1763 STILLWELL AVENUE #1R BROOKLYN NY 11223		
7 Social security tips	8 Allocating tips	9 Advance EIC payment
10 Dependent care benefits	11 Nonqualified plans	12 Benefits included in row 1
13 See instructions for box 13		14 Other
15 Statutory employee	Deceased	Excluded from coverage
NY 11-3174655	9388.16	
16 State Employer's state I.C. #	17 State wages, tips, etc.	18 State income tax
NYC	20 Local wages, tips, etc. 9388.16	21 Local income tax

Copy 2 To be Filed With Employee's State, City,  
or Local Income Tax Return  
DCA

Dept. of the Treasury - IRS

# Trade Secret/Commercially Sensitive

OMB No. 1545-0048 Form W-2 Wage and Tax Statement 1999

a. Control number		1. Wages, tips, other comp 10481.12	2. Federal income tax withheld
b. Employer ID number 113174555		3. Social security wages 10481.12	4. Social security tax withheld 619.83
		5. Medicare wages and tips 10481.12	6. Medicare tax withheld 151.98
c. Employer's name, address, and ZIP code BELL/CA CAVIAR INTERNATIONAL 32 SECOND AVENUE BROOKLYN NY 11215			
d. Employee's social security number [REDACTED] 5251			
e. Employee's name, address, and ZIP code ARKADY GOLUB 1763 STILLWELL AVENUE #1R BROOKLYN NY 11223			
7. Social security tips		8. Allocated tips	9. Advance EIC payment
10. Dependent care benefits		11. Nonqualified plans	12. Benefits included in gross
13. See instructions for box 13		14. Other	
15. (Salary reduction) Deductions	16. (Salary reduction) Pension plan	17. Legal fees	18. Election deferral
NY 113174555	10481.12		32.00
19. State Employer's state ID # NYC	20. State wages, tips, etc. 10481.12	21. State income tax 11.37	

Copy 2 To be filed with Employee's State, City,  
or Local Income Tax Return  
GXA

Dept. of the Treasury - IRS

# Trade Secret/Commercially Sensitive

EMPLOYEE WAGE ADMINISTRATION  
0013-F574 00005-0000005  
BELUGA CAVIAR INTERNATIONAL  
FOODS INC  
32 2ND AVE  
BROOKLYN NY 11215

FEDERAL WITHHOLDING EXEMPTIONS M 1  
NY WITHHOLDING EXEMPTIONS M 1  
REGULAR WAGES for 2000 21030.00

For 2000, you have no payroll adjustments which affected your federal wages (Box 1) or state wages. Therefore, the wages on your final 2000 check statement should be the same as the wages reported on your W-2 statement.

ARKADIV GOLUB  
000002-000200 00365  
PAYROLLS BY PAYROLLS

## Form W-2 Wage and Tax Statement 2000

Copy C, for employee's records

a Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL FOODS INC 32 2ND AVE BROOKLYN NY 11215		b Employer's identification number 11-3174655		c Social Security number 6251		d Federal income tax withheld 1775.50	
16 State NY Employer's state ID No. 113174655		17 State wages, tips, etc. 21030.00		18 State income tax 550.32		19 Locality name NY NYC	
13 See instructions for Box 13 NYS DI		14 Other NYSDI 30.00		15 See instructions for Box 15 NYS DI		16 See instructions for Box 16 NYS DI	
17 State wages, tips, etc. 21030.00		18 State income tax 550.32		19 Locality name NY NYC		20 Local wages, tips, etc. 21030.00	
21 Local income tax 371.34		22 Federal income tax withheld 1775.50		23 Social Security wages 21030.00		24 Social Security tax withheld 304.95	
25 Medicare wages and tips 21030.00		26 Medicare tax withheld 304.95		27 Social Security tips 0.00		28 Allocated tips 0.00	
29 Advance EIC payment 0.00		30 Dependent care benefits 0.00		31 Nonqualified plans 0.00		32 Benefits included in Box 1 0.00	

This information is being furnished to the Internal Revenue Service

# Trade Secret/Commercially Sensitive

EMPLOYEE W-2 WAGE SUMMARY 2001

0013-F574 000200

BELUGA CAVIAR INTERNATIONAL  
FOODS INC  
32 2ND AVE  
BROOKLYN NY 11215

FEDERAL WITHHOLDING EXEMPTIONS M 1  
NY WITHHOLDING EXEMPTIONS M 1  
REGULAR WAGES FOR 2001 20175.00

For 2001, you have no payroll adjustments which affected your federal wages (Box 1) or state wages. Therefore, the wages on your final 2001 check statement should be the same as the wages reported on your W-2 statement.

ARKADY GOLUB  
160 COLONY AVE  
STATEN ISLAND NY 10305

01363

## Form W-2 Wage and Tax Statement 2001

Copy C, for employees records

RECEIVED

a Control number 0013-F574		b Employer's identification number 000002-000200		c Employer's name, address, and ZIP code BELUGA CAVIAR INTERNATIONAL FOODS INC 32 2ND AVE BROOKLYN NY 11215		Department of the Treasury - Internal Revenue Service OMB No. 1545-0008	
d Employee's social security number 11-3174655		e Employee's name, address, and ZIP code ARKADY GOLUB 160 COLONY AVE STATEN ISLAND NY 10305		1 Wages, tips, other compensation 20175.00		2 Federal income tax withheld 1596.84	
13 Statutory employee Retirement plan Third-party sick pay		14 Other NYSDI 31.20		3 Social security wages 20175.00		4 Social security tax withheld 1250.85	
12 See instructions for Box 12 NYSDI		17 State wages, tips, etc. 20175.00		5 Medicare wages and tips 20175.00		6 Medicare tax withheld 292.55	
15 State NY 113174655		16 State income tax 523.70		7 Social security tips		8 Allocated tips	
		18 Local wages, tips, etc. 20175.00		9 Advance EIC payment		10 Dependent care benefits	
		19 Local income tax 307.01		11 Nonqualified plans			
		20 Locality name NY NYC					



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 2,479,287

Issued on August 21, 2001

FOUR SEASONS DAIRY, INC.,

Petitioner,

- against -

INTERNATIONAL GOLD STAR  
TRADING CORP.,

Registrant

Cancellation No.: 92042082

Mark: BABUSHKA'S RECIPE

Reg. No. 2,479,287

Filed: December 7, 1999

Issued: August 21, 2001

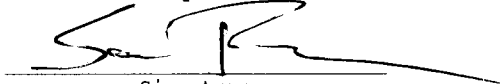
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451 on the date shown below:

April 16, 2010

(Date)

Samuel Friedman

Name of Representative



Signature

April 16, 2010

Date of Signature

**PETITIONER'S NOTICE OF FILING TESTIMONIAL DEPOSITION OF  
LEON SHEIKHET OF APRIL 16, 2008 AND RELATED REDACTED EXHIBITS**

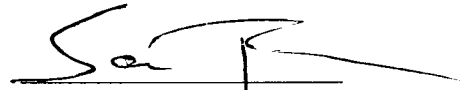
Petitioner, Four Seasons Dairy, Inc., pursuant to 37 C.F.R. §§ 2.123 and 2.125, gives notice of filing of the certified transcript of the testimonial deposition of Leon Sheikhet, taken on April 16, 2008, together with the accompanying redacted exhibits, namely Petitioner's Trial Exhibits Nos. 1, 3 and 9.

True copies of the transcript and exhibits were previously served on counsel for

Registrant on May 15, 2008.

Dated: April 16, 2010  
New York, New York

Respectfully submitted,


A handwritten signature in black ink, appearing to read 'S. Friedman', written over a horizontal line.

Samuel Friedman, Esq.  
225 Broadway, Suite 1804  
New York, New York 10007  
Tel: (212) 267-2900  
Attorney for Petitioner  
FOUR SEASONS DAIRY, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on the date set forth below, a true and correct copy of the foregoing Petitioner's Notice of Filing Testimonial Deposition of Leon Sheikhet in Cancellation Proceeding No. 92042082 entitled Four Seasons Dairy, Inc. v. International Gold Star Trading Corp., was, pursuant to stipulation served by email on counsel for Registrant, addressed as follows:

Roger S. Thompson  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue  
New York, New York 10176  
Email: rthompson@cplplaw.com.

  
\_\_\_\_\_  
Samuel Friedman

April 16, 2010  
Date

ORIGINAL

1

In The Matter of Registration No. 2,479,287  
Issued on August 21, 2001

-----x  
FOUR SEASONS DAIRY, INC.

Petitioner

-against-

INTERNATIONAL GOLD STAR  
TRADING CORP.,

Registrant.

-----x

DEPOSITION OF  
LEON SHEIKHET  
Brooklyn, New York  
April 16, 2008

Reported by:  
JUDITH CASTORE

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April 16, 2008  
11:20 a.m.

Deposition of LEON SHEIKHET taken by Petitioner, held  
at the offices of Alliance Court Reporting, 189 Montague  
Street, Suite 503, Brooklyn, New York before Judith Castore,  
a Shorthand Reporter and Notary Public within and for the  
State of New York.

1

2

## A P P E A R A N C E S

3

4

SAMUEL FRIEDMAN, ESQ.

5

Attorney for Petitioner

6

225 Broadway

Suite 1804

7

New York, New York 10007

8

COHEN, PONTANI, LIEBERMAN &amp; PAVANE, LLP

9

Attorneys for Respondent

551 Fifth Avenue

Suite 1210

10

New York, New York 10176

11

BY: ROGER THOMPSON, ESQ.

12

13

ALSO PRESENT:

14

GALINA PINCOW, International Gold Star Trading

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IT IS HEREBY STIPULATED AND AGREED by and between  
counsel for the respective parties hereto that filing  
sealing and certification be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED that all  
objections, except as to the form of the question, be  
reserved to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED that the within  
examination may be signed and sworn to before any Notary  
Public with the same force and effect as though signed and  
sworn to before this Court.

1 L-E-O-N S-H-E-I-K-H-E-T

2 Having been duly sworn by a Notary Public  
3 within and for the State of New York, stated an  
4 address as 2881 West 12th Street, Apt. 3-C, Brooklyn  
5 New York was examined and testified as follows:

6 EXAMINATION BY MR. FRIEDMAN:

7 MR. FRIEDMAN: Counsel have conferred and  
8 we have stipulated that the objections except  
9 as to the form of the question will be reserved  
10 to the time of trial; that the transcript may  
11 be sworn before any notary; and that as the  
12 examining attorney, I shall retain possession  
13 of any original exhibits.

14 MR. THOMPSON: Agreed.

15 Q Mr. Sheikhet, my name is Samuel Friedman  
16 and I represent Four Seasons Dairy, Inc.

17 During this deposition I will be asking  
18 you a number of questions. The court reporter to my  
19 right will be taking down everything that is said.  
20 I ask that you answer audibly so that the court  
21 reporter can record your answer.

22 A Okay.

23 Q And that you always wait until I or  
24 Mr. Thompson finish a question before answering.

25 Was there a time that you owned a store?



1 A Yes.

2 Q What was the name of that store?

3 A Miller's Market.

4 Q Was Miller's Market a d/b/a?

5 A Yes, Unsurpassed Meat Corporation.

6 Q Where was that store located?

7 A 1914 Kings Highway.

8 Q For how long did you own this store?

9 A For 11 years.

10 Q From approximately when to when?

11 A From, say, 2004, I just went out on 2004.

12 Q In the year 2004, you went out of  
13 business?

14 A Yes, end of 2003, beginning of 2004. I  
15 out of the business and back it's 1994, something  
16 like this.

17 Q So 11 years would be '93 or '94 when you  
18 opened that store?

19 A Yes. It's not open. I just bought it.  
20 It's store was in operation for 40 years before I  
21 just came in.

22 Q I see.

23 What was the business of this store at the  
24 time that you purchased it?

25 A It's mainly meat market.

1 Q And after you purchased the store, did you  
2 change it from meat market to anything else?

3 A Yes. We did in a period of two years we  
4 diversified a little bit. Just when we had some  
5 like mini supermarket there.

6 Q Could you name a few of the types of  
7 products that you would sell in the mini-market?

8 A We sold actually all products what Russian  
9 and American market takes -- I mean buys. We didn't  
10 had like paper goods but food merchandise. I mean,  
11 just we sold most of the product. To me to name it,  
12 it's going to take a long time.

13 Q Did you sell diary products?

14 A Yes, we did. We had a big selection of  
15 the diary.

16 Q If you could briefly speak to your duties  
17 and responsibilities as owner of the store.

18 For example, were you involved in  
19 purchasing products?

20 A This is my main job, purchasing products.  
21 I was in the store on a regular basis, most of the  
22 time, especially in the beginning first five, six  
23 years. I was in there seven days a week from  
24 opening to closing.

25 Q Did you have occasion to deal with

1 Alexander Bekker as owner of the store while you  
2 were running the store?

3 A Alexander Bekker?

4 Q Alexander Bekker of Four Seasons Dairy?

5 A Oh.

6 Q Also known as Alex?

7 A Yes, of course.

8 Q Did you also have occasion to deal with  
9 Oleg Kessler?

10 A Yes.

11 Q And could you describe your dealings with  
12 Alexander Bekker and Oleg Kessler when you were  
13 owner of the store?

14 A Describe what? I have to describe my  
15 dealing with them you mean, right?

16 Q Yes.

17 Did your store purchase products from  
18 them?

19 A I purchased the product from them, of  
20 course, the dairy product.

21 Q What dairy products did you purchase from  
22 them? Was there a brand name?

23 A We purchase them sour cream; we purchase  
24 them butter; we purchase from them, they did some  
25 cottage cheese in that time; we purchase all their

1 line what they need.

2 Q And in terms of brand names, the names of  
3 the brands of the products sold by Alexander Bekker  
4 and Oleg Kessler, could you name a brand?

5 A Brand? You mean why are we hear today?

6 Q Yes.

7 A It's what you call Babushkin, you know,  
8 just Babushkin.

9 Q Do you know anything about how the name  
10 was chosen, the name of Babushkin for these  
11 products?

12 A Actually, yes. I just, you know, reason  
13 is when they came in with this name what they're  
14 going to put on their product, I remember, you know,  
15 just in -- this is sometimes I cannot recall just  
16 exactly when it was but why I just know this when my  
17 wife's birthday was 50 years in 1996 and just when  
18 we just spoke them, what they just going to name it  
19 just Babushkin butter. Okay?

20 So I said are you going to have some  
21 picture on this product you can just use my wife's  
22 picture because she's already a Babushkin.

23 Anyway, this is what shortly in this  
24 period of time this is what I remember what actually  
25 it was the conversation. And this is what they just

1       came and they just and -- I said just we was in that  
2       time we did big volume on the diary product and we  
3       are valuable customer for them. So they just in  
4       this case they are trying to tell us, you know, or  
5       take our advice in some way according to the name  
6       because the name is important too.

7               This guys just they are good hard worker  
8       guys. Actually I remember them. I didn't probably  
9       for this five years I am not in the business. I  
10      just met them a couple of times.

11             Q       The five years since you sold Miller's  
12      Market?

13             A       Yes. We didn't touch base. I just met  
14      them a few times somewhere in some places on some  
15      occasions. I don't remember actually. Not that  
16      much. But from the time being there, I remember  
17      that they are like very hard working people.

18             Q       Would they come by your store?

19             A       Yes. They deliver in at that time they  
20      self actually. Later on as time progress they had  
21      some workers for them to help but from along I  
22      remember they just always deliver one or another one  
23      of them delivered the merchandise. They worked in  
24      the beginning both of them actually just only would  
25      delivering from the trunk.

1 MR. FRIEDMAN: I am going to show the  
2 witness a document previously marked as  
3 Petitioner's Exhibit 3 at a deposition of  
4 April 10, 2008. I am handing it to the  
5 witness.

6 Q If you could take a look at that and if  
7 you could please turn your attention, do you see  
8 that there are certain numbers toward the bottom of  
9 the pages?

10 A Yes.

11 Q Do you see the number ending in 22 toward  
12 the bottom of the page?

13 A This is a one keep going, it's  
14 consecutive.

15 Q If I may for a moment, I am just going to  
16 turn to the page with the number 22 that appears at  
17 the bottom of the page and I ask you if you can  
18 identify this document.

19 A Actually, this is the book what they  
20 just -- they had just this book is not like print  
21 like for the company. This book they just printing  
22 but they put their stamp on the beginning. That's  
23 what usually they did according to -- not  
24 corporation, just letterhead, I mean invoice or  
25 whatever you want to call this. This is what we

1 usually get this one and I believe they had one  
2 original which is white what supposed to be. This  
3 is the copy which is left in the book.

4 Q I see.

5 What happened to the original of this  
6 document?

7 A The original we always kept in the store  
8 from any kind of distributors.

9 Q "We" being your store Miller's Market?

10 A Yes.

11 Q Do you still have those documents?

12 A Documents we just kept like five years.  
13 Actually five years I do not have the documents.  
14 All documents I don't keep them more than five  
15 years.

16 Q I would like to turn your attention,  
17 please, to the page that has the number 26 at the  
18 bottom.

19 A Twenty-six. Okay.

20 Q Is this also a copy of an invoice to  
21 Miller's Market from Four Seasons Dairy?

22 A Looks like it is a copy, yes.

23 Q If you would please turn to the page that  
24 has the number 34 at the bottom.

25 A Yes.

1 Q Do you recognize this as a copy of an  
2 invoice from Four Seasons to Miller's Market?

3 A Yes, looks like, yes.

4 Q And as well, if you could turn to the page  
5 that has the number 47 at the bottom.

6 Does this reflect as well a copy of an  
7 invoice to Miller's Market.

8 A Yes, it is.

9 Q Do you recognize the writing toward the  
10 bottom to the left of the numbers 871.75?

11 A

12 MR. FRIEDMAN: I am just pointing for the  
13 witness.

14 A Well, it's too hard to just remember this.  
15 But even just according to invoices, it's so many  
16 years all this so it stays in the memory, yes.

17 This is deducted what we just returned on  
18 some damaged. This is actual invoice. I get my  
19 memories back. This is what I can remember. This  
20 is always what we did. If we just returned  
21 something, they deduct that from the balance.

22 Q That handwriting at the bottom reflects  
23 what?

24 A Reflects return some item which is  
25 damaged.



1           Q     I am going to hand you a document previous  
2 marked as Petitioner's Exhibit 1 at a deposition of  
3 April 10, 2008 and I ask if you can recognize this  
4 document?

5           A     Yes, I do.

6           Q     What is it, please.

7           A     This is the type of butter what we bought  
8 from them, I used to buy from them.

9           Q     The type of product that you bought from  
10 them, did it have the lettering in Cyrillic Russian  
11 as reflected on the exhibit?

12          A     Yes. It was just like that right here  
13 what I just see it. It was on the product at that  
14 time.

15          Q     Did there come a time --

16               MR. THOMPSON: Let me just interrupt.  
17 Since this document has not been marked  
18 confidential, do you have any objection if I  
19 show it to my client?

20               MR. FRIEDMAN: Not at all only documents  
21 that are trade secret commercially sensitive.

22               MR. THOMPSON: Sorry.

23          Q     Did there come a time that Alexander  
24 Bekker and Oleg Kessler came to see you to ask you  
25 to provide some information to them in connection

1 with a legal proceeding in which they were involved?

2 A Well, it was -- they just brought, yes,  
3 they came and they asked me, you know, just to sign  
4 some letter and that was take place.

5 Q I am going to show you a document  
6 previously marked as Petitioner's Exhibit 9 at the  
7 deposition of April 10, 2008.

8 If you could please take a look at it.

9 A Yes.

10 Q Can you identify this document?

11 A Yes, I do. I have my signature here, yes.

12 Q So at the bottom of the page there is a  
13 signature.

14 Whose signature is that?

15 A It's my signature.

16 Q You signed this document?

17 A My handwriting, yes.

18 Q Did you actually type this document  
19 yourself or was it prepared and handed to you?

20 A I didn't type this document. I believe  
21 they brought already just typed, okay. And they  
22 just get this when I just read this letter, I would  
23 just -- at that time I do not remember exactly from  
24 what year we started up with them. I just had to  
25 check it out my just invoices just what I have. So

1 I believe, anyway -- on what I just put my signature  
2 I tried to be sure what this is, be sure what I do  
3 the right thing.

4 Q So you verified the accuracy of the  
5 information set forth in this letter before you  
6 signed it?

7 A Yes, I did, yes, as a matter of fact, yes.

8 Q And among the methods that you used to  
9 verify the information was that you looked at  
10 records you maintained at the store?

11 A Of course.

12 Q Including records as we just went through  
13 in Petitioner's Exhibit 3?

14 A That's right. Because we maintained the  
15 records in the store on the first floor. We didn't  
16 have that much space, all records I had in the  
17 basement. So I just -- I don't know if what -- how  
18 but I didn't -- I took the letter and I just  
19 checked. But as I am checking this one I gave him  
20 back. I don't know but I sure what I checked the  
21 date when we start to work on this what they just  
22 put in here.

23 Q The date on this letter is May 16, 2003.

24 Did you sign this letter on or about the  
25 date of the letter May 16, 2003?

1 A Right, right.

2 Q That was some four and a half, five years  
3 ago?

4 A Yes.

5 Q Would it be fair to say that your memory  
6 of the events in 1997 and '98 was more fresh in your  
7 mind in 2003 than it is today?

8 MR. THOMPSON: Object to the form of the  
9 question.

10 A I would say yes, of course. Especially I  
11 was in the store and I worked in the store and  
12 everything was fresh. I should say right now I  
13 might to have some not exact -- I couldn't recall  
14 some numbers. It is harder for me then I was in the  
15 store at that time. It's definitely -- I can check  
16 what remember and now for me it's -- I cannot just  
17 be sure on what date or whatever as long as I am not  
18 going to see some documents on that.

19 Q Do you recollect when it is that your  
20 store, Miller's Market, started purchasing Babushkin  
21 products from Alexander Bekker and Oleg Kessler?

22 A Actually what I can say we start to  
23 purchasing on the time when they start to make this.  
24 Exactly the date, I cannot just say. Actually just  
25 what it says in the letter here I assume because I

1 checked at that time.

2 I am sure what I checked at that time and  
3 right now I cannot say for sure. I know what I  
4 check so this way I can say the date stays over  
5 there. It's proper otherwise I would not be able to  
6 say.

7 Q I am just going to ask, if you could  
8 please read into the record the content of this full  
9 two paragraphs of Petitioner's Exhibit 9.

10 A Which paragraph you want me to read?

11 Q Starting here.

12 A All to the end?

13 Q To here.

14 A "Please be advised that Unsurpassed Meat,  
15 Inc. d/b/a Miller's Finest Meats has been buying  
16 butter blends product from Four Seasons Dairy Inc.,  
17 2402 65th Street, Suite B3, Brooklyn, New York 11204  
18 under the Babushkin (brand matters) Brand, since  
19 December 1997 under the A & O Corporation, and  
20 beginning in January 1999 under Four Seasons Dairy  
21 Inc.

22 Unsurpassed Meat Inc. d/b/a Miller's  
23 Finest has been purchasing this item from Four  
24 Seasons Dairy Inc. on a weekly basis."

25 Q Thank you.

1                   Again, that is your signature on the  
2           bottom, your original signature?

3           A       Yes, it is.

4                   MR. FRIEDMAN: I am going to move this  
5           document into evidence.

6                   MR. THOMPSON: I still preserve my  
7           objection. It's hearsay.

8                   MR. FRIEDMAN: I would maintain that,  
9           among other things, this document is admissible  
10          into evidence under the doctrine of past  
11          recollection records.

12                   MR. THOMPSON: I see the need to get into  
13          a colloquy on the record about it.

14                   MR. FRIEDMAN: Okay.

15                   I am just going to take a minute to look  
16          at my notes.

17                   Q       I am showing you again the document  
18          previously marked as Petitioner's Exhibit 1.

19                   And I ask you: Is what is represented in  
20          Petitioner's Exhibit 1, more or less, not exactly,  
21          the label on the product when Miller's Market  
22          started purchasing from A & O Corporation in 1997?

23                   MR. THOMPSON: Objection. Vague.

24                   A       I believe, I just cannot say exactly but  
25          this is what it was appears to me. What this is the

1 Babushkin what I used to buy.

2 Q More or less?

3 A More or less.

4 Q Including the writing in Cyrillic that  
5 says Babushkin?

6 A Yes.

7 Q Did that lettering Babushkin in Russian,  
8 did it continue to appear on the labels of this  
9 diary product during the time that you were  
10 purchasing the product?

11 A Yes, it is.

12 MR. FRIEDMAN: I have no further questions  
13 at this time.

14 EXAMINATION BY MR. THOMPSON:

15 Q Thank you.

16 Could you please tell me, are you  
17 currently employed?

18 A Yes.

19 Q Where?

20 A I am employed, right now I am managing  
21 office which is this is laboratory for sleep  
22 treatment diagnostic.

23 Q Where is that located?

24 A It's located on 2583 Ocean Avenue.

25 MR. FRIEDMAN: I am going to object to

1 this line of questions on the grounds that it  
2 exceeds the scope of the direct examination.

3 MR. THOMPSON: Well, I will point out for  
4 the record, he's indicated that he has since  
5 closing his store several times met with your  
6 clients. And I am trying to determine if that  
7 was in the context of a business relationship  
8 which I am allowed to explore if he has any  
9 ongoing business relationship with your client  
10 or in what context it came out. I am laying a  
11 foundation.

12 A I will let you know directly where I met  
13 him. I met in Brighton when I took my wife for  
14 shopping and you can just even call my wife. This  
15 happened probably six months ago. I even didn't  
16 recognize him. My wife just show here Alex guys he  
17 knows him from the store because she used to help me  
18 with the store. I didn't recognize because I didn't  
19 see them for all this time.

20 Q Was that the first time you have seen him  
21 since you closed the store?

22 A Yes. On the first year after I left the  
23 store they called me on the New Year and they just  
24 say hello and have a nice good New Year, you and  
25 your family. Because like I say we just -- I



1       respect them like hard workers and honest people  
2       over there, and for all time being there all  
3       distribution. As a matter of fact, what is nice  
4       people I had very good relationship. All kind with  
5       the owners, with the drivers, with anybody. This is  
6       my job to do this things when I was in the store.

7           Q       Subsequent to the time when you closed the  
8       store, did you ever have any business with them?

9           A       Never, just saw them on the Brighton  
10      Beach.

11                   MR. FRIEDMAN: Let him finish the question  
12      before you start answering.

13           Q       Going back to the letter that you signed,  
14      which is Exhibit 9, I ask you to take a look at that  
15      again.

16           A       Yes.

17           Q       You have stated I believe that you signed  
18      this letter after referring to certain documents; am  
19      I correct?

20           A       You are correct.

21           Q       Am I correct that you no longer have  
22      access to those documents?

23           A       That's right.

24           Q       That your recollection today of what you  
25      received in 2003 is based solely on the fact that

1 you received this letter in 2003?

2 MR. FRIEDMAN: Objection. It's  
3 mischaracterizing testimony.

4 MR. THOMPSON: I am asking him if I am  
5 correct or not.

6 MR. FRIEDMAN: You can read back the  
7 record.

8 MR. THOMPSON: I am asking him.

9 A Say again.

10 Q Is it fair to state that your statements  
11 today that this letter is accurate is based upon on  
12 your recollection of what you read in 2003?

13 A Based on my recollection on the 2003 what  
14 I read, plus what I know for the fact when I just  
15 signed some papers or documents. I have to clarify  
16 this one with my record what I had in that time in  
17 the store because like any kind of average American  
18 person, I cannot just give you for sure to remember  
19 what it was happened in that period of time. That's  
20 all.

21 Q So your statements today are based on what  
22 you believe were in your records when you reviewed  
23 them in 2003?

24 MR. FRIEDMAN: Objection.

25 Mischaracterization of his testimony.

1           A     What I believe on 2003 on my records plus  
2     what I know for a fact what I checked my record  
3     before I signed this paper. That's all.

4           Q     But you don't have those records that I  
5     could look at today; is that correct?

6           A     Correct.

7           Q     The letter is dated 2003, May 16, right?

8           A     Yes.

9           Q     You stated before that you keep records  
10    for five years; is that right, or at that time you  
11    kept?

12          A     Yes.

13          Q     So five years before May 16, 2003 would be  
14    1998?

15          A     Yes.

16          Q     Your letter stated you started dealing  
17    with them since December 1997?

18          A     Right.

19          Q     That's more than five years before this  
20    letter?

21          A     Yes. You just -- in our business when we  
22    just do we don't clean, I mean, just after I close  
23    the store I kept the records for five years. I have  
24    to keep the records. When we are working in the  
25    store and we have our files which is emptied. Each

1 year we emptied to the basement the file. I emptied  
2 them and when it's space open up we have over there  
3 space, probably up to just enough for ten years. We  
4 just move it out what we don't need.

5 So I know for a fact that file was there  
6 still because it just what we talking about six  
7 years or whatever period of time from the time what  
8 we start. And we signed the letter so the records  
9 then -- this what I just check the records and I  
10 just signed it. Doesn't mean that in the store what  
11 we just kept the record from the store. When I sold  
12 the store I kept, according to my accounting order,  
13 I had to keep five years. So I kept five years and  
14 that's it.

15 Q I am trying to make sure I understand now  
16 about this five year period.

17 You are saying that you, based on when you  
18 sold the store, you kept records for five years?

19 A Right.

20 Q Is that five years from when you sold the  
21 store or five years back before the date you sold  
22 the store?

23 MR. FRIEDMAN: Object to the form of the  
24 question.

25 A Before I sold the store, the documents in

1 the store probably accumulate for all ten years what  
2 I was in the store. But when I sold the store, I  
3 had emptied the store. So I had to empty the  
4 documents prior the five years what I have to kept  
5 them.

6 Q I am just trying to understand.

7 A This is what I am explaining. I might  
8 have some problem in English. I don't know. So you  
9 ask me the question and I will try to the explain  
10 the way I do.

11 Q You believe you sold the store in 2000?

12 A End of 2003, beginning of 2004 sometime.

13 Q That was just a few months after the date  
14 of this letter?

15 A Right.

16 Q At the time you --

17 A Not a few months.

18 Q This letter is dated May '03.

19 A I have to take a look what date we just  
20 sold the store. I don't remember five years ago. I  
21 was my accounting recently and he did the income  
22 tax. So that's all. And he said it's already five  
23 years what's done and everything so this is what I  
24 know.

25 MR. FRIEDMAN: I am just going to object

1 to the form of your question, Roger, in  
2 connection with your use of the term "a few".  
3 I think in common parlance that means three.

4 MR. THOMPSON: I would disagree with how  
5 you characterize it.

6 Q But you are saying that it was sometime at  
7 the end of 2003 or 2004 you sold the store; is that  
8 right?

9 A Yes.

10 Q That period of time 2003, 2004 you were  
11 told by your accountant to keep records going back  
12 five years?

13 A Right.

14 Q So at the time you sold the store you had  
15 records going back to roughly 1998 or 1999; is that  
16 correct?

17 MR. FRIEDMAN: Objection;  
18 mischaracterizing testimony.

19 A I cannot remember in the store. In the  
20 store we kept the documents. Like I said, I have a  
21 big file over there so the documents didn't throw  
22 away. I kept all of them from '94, what I just  
23 bought the store, until 2003 I had all these  
24 documents.

25 When I have to sell the store, I ask my

1 accountant what documents and how long I have to  
2 keep here. He said what documents has to be kept  
3 five years, I mean, in the period. So what it's  
4 five years the documents has to be kept over there I  
5 just left because I have a small place over there.  
6 What just the owner of the store allowed me to keep  
7 over there rest of them I just don't need. It's  
8 time already gone for them.

9 MR. THOMPSON: I am sorry. You mean you  
10 threw them out?

11 THE WITNESS: Yes.

12 Q I am just trying to figure out the time  
13 you sold the store what the oldest document you had  
14 was, do you know?

15 A No, I didn't check on that.

16 MR. FRIEDMAN: Asked and answered.

17 A I just like I said, I just had -- when I  
18 sold the store is prior to selling the store I had  
19 all my files. When I sold the store, my accountant  
20 told me the documents like, for example, the  
21 document what I sold the store, say, in 2003 the  
22 documents what five years prior to this one, it's  
23 already old documents. I don't have to keep. So  
24 all of them is gone. All documents what has to stay  
25 in 2003 say 2000, 1999, 1998, that is what was left

1 in the store.

2 All of them what has to stay still have,  
3 like in 2003. I sold the store 1998, it will be  
4 five years. So all documents prior to 1998 I just  
5 threw away. Rest of them was staying but I didn't  
6 threw away each year the rest of them. I close it  
7 just five years gone.

8 Q I am just trying to make sure I  
9 understand. I am not trying to badger you.

10 A I am trying to explain as much good I  
11 could.

12 Q When you sold the store in 2003, you had  
13 at that time many years of documents?

14 A Right.

15 Q And because you were leaving them on the  
16 premises of the store, when you sold the store to  
17 somebody else you wanted to get rid of the oldest  
18 documents that you didn't need?

19 A Right.

20 Q So you checked with your accountant who  
21 said keep five years worth of documents?

22 A Right.

23 Q So starting in 2003 you would go back to  
24 1998 and anything earlier than that you would throw  
25 out?



1 A Yes.

2 Q Am I correct?

3 A Yes.

4 Q So that at the time you sold the store  
5 maintained in that store were documents from '98 to  
6 2003?

7 MR. FRIEDMAN: Objection; that's  
8 mischaracterizing the testimony.

9 MR. THOMPSON: I am asking him if that was  
10 true.

11 Q Is it true when you sold the store in 2003  
12 there were documents between 1998 and 2003?

13 MR. FRIEDMAN: This is mischaracterizing  
14 the witness. You are badgering this witness.  
15 It's clear that English is not his native  
16 language.

17 Q I am attempting to understand you. You  
18 are dating back from the time you sold the store.

19 Am I correct that when you transferred the  
20 premises to the new owner that there were documents  
21 dating back to 1998 there; am I correct?

22 A Sir, tell you the truth, okay, I just  
23 telling you reason is I am professional in the way  
24 just what I did over there in the business. And  
25 just the amount of documents what I had and

1 everything, I couldn't get through all this  
2 documents as they staying over there in the file.  
3 So they stay in the file. It's might be just some  
4 mixed file or whatever. I don't know.

5 What I am just saying I cannot recollect  
6 today when I just sold the store 1998 or 1997 or  
7 whatever is over there whatever it's needs to be  
8 kept another five years from this period of time.  
9 This is what is there, I know for a fact.  
10 Otherwise, I cannot recollect the numbers and  
11 anything in this manner.

12 Q I am just trying to understand.

13 When you sold the store, there was  
14 documents for some period of time there that you  
15 left?

16 A All documents. All documents from the  
17 time when I bought the store to the time when I just  
18 sold the store.

19 Q But you said you threw out some to make  
20 more room?

21 A Yes.

22 Q Do you remember -- and your answer could  
23 be no -- I am just asking what you remember what the  
24 oldest document you left there was?

25 A I do not remember.

1 Q Do you believe that it was in the time  
2 period of roughly 1998?

3 A I cannot believe -- I know just what I  
4 have to leave the documents five years has to be in  
5 file, okay. What it's the date over there or how or  
6 '88 or '87 I could not recollect this.

7 Q As I understand it, you left the documents  
8 in the store?

9 A Right.

10 Q You sold the store to someone else?

11 A Yes.

12 Q Is that store still operating today?

13 A Yes, it is.

14 Q Do you have any knowledge of whether the  
15 person who still has that store still has those  
16 documents?

17 A No, the documents is already gone.

18 Q How do you know that?

19 A I took care of them.

20 Q What do you mean you took care of them?

21 A I had over there a file what I just close  
22 up. I emptied the store I just took it out that's  
23 all and put in the garbage.

24 Q Are you referring to the documents that  
25 you originally left there or the documents that you

1 -- let's start over.

2 I would like for our purposes right now to  
3 characterize the documents has being two sets of  
4 documents.

5 At the time you left, just for our  
6 purposes, there were some documents that you threw  
7 out that were too old, you threw out. As I  
8 understand it, there was another set of documents,  
9 however old they were, that you left in the store;  
10 is that accurate so far?

11 A Yes.

12 Q With respect to that second group of  
13 documents, do you know if those documents are still  
14 at the store?

15 MR. FRIEDMAN: Asked and answered.

16 A The documents is out of the store already.

17 Q Did you personally throw those documents  
18 out?

19 A No. I just gave okay to the previous  
20 owner of the store. I don't know. It's already two  
21 times sold this place over there to throw them out.

22 Q So one of the subsequent owners called you  
23 and said, Can I get rid of these documents?

24 A I don't remember.

25 MR. FRIEDMAN: Object to the form of the

1 question.

2 A I don't remember but I gave him okay to  
3 throw these documents out.

4 Q Do you remember when you gave him that  
5 okay?

6 A No.

7 Q Do you remember if it was in the last few  
8 weeks or five years ago?

9 A It was too long but I don't remember.

10 Q So this individual who was the then  
11 current owner of the store asked you if he could  
12 throw out these old documents?

13 A He didn't ask me nothing. We just did  
14 this things. I said in a short period of time you  
15 can throw them out. That's all.

16 Q So it was on the closing deal of the store  
17 you said you can throw these out after some period  
18 of time?

19 A That's right.

20 Q It wasn't a subsequent conversation? It  
21 was at the time you sold the store?

22 A Maybe after the time. I don't remember if  
23 this subsequent conversation or in the time that I  
24 just sold the store. But it was to the point what I  
25 have to kept this for a certain period of time, the

1 document what I just left over there the rest of  
2 them. The time it's going just you need the space.  
3 He threw away that's all. He called me up or he  
4 didn't call me -- asked me somehow through some  
5 people, I don't know, but the documents is out over  
6 there.

7 Q Were you actually told by anybody that  
8 these documents were thrown out?

9 A By the previous owner of the store.

10 Q So he did tell you they were thrown out?

11 A Yes, they need the space.

12 Q You don't remember when that occurred?

13 A No, I don't remember.

14 Q You said this was a previous owner. Do  
15 you know which owner of the space who told you that?

16 A I don't remember his name.

17 Q Is this the individual to whom you sold  
18 the store?

19 A Yes.

20 Q You don't remember his name?

21 A No.

22 Q But you believe at that store there have  
23 been subsequent owners since the person you sold it  
24 to?

25 A Yes, somebody told me what they sold to

1 another person.

2 Q Do you have copies of any of the closing  
3 documents that would indicate who the individuals  
4 were who purchased the store from you?

5 A I don't keep this one. I don't have it.

6 Q So you don't remember who it was and you  
7 would have no documents who would identify that  
8 person; is that correct?

9 A I did not have it, that's correct.

10 Q Do you have any way that you would be able  
11 to determine who bought the store?

12 A You have the address of the store and you  
13 can check it out through your channels.

14 Q Do you have copies of the tax returns for  
15 Unsurpassed Meat, Inc.?

16 A No.

17 Q I believe you testified that Exhibit 3  
18 that's the order book is a document that was  
19 familiar to you?

20 A Right.

21 Q Can you tell by looking at that if that is  
22 a genuine order book or not or if it just looks like  
23 an order book?

24 MR. FRIEDMAN: Objection; ambiguous.

25 A I don't understand the question genuine or

1 looks like an order book?

2 Q Can you tell by any independent means of  
3 whether the dates in that book were accurately  
4 recorded?

5 MR. FRIEDMAN: Objection.

6 A The dates you know I cannot recall the  
7 dates over there independently. Just I can see it,  
8 the name of the store, I can see just remember just  
9 rings the bill already according to the writing to  
10 how just the bill is made on returns, whatever over  
11 there. It rings a bell immediately to me I see what  
12 this is original writing, original bill.

13 Q Is your handwriting on any of the pages  
14 you have looked at in there?

15 A No.

16 Q Do you know whose handwriting it is?

17 A I cannot tell the guy who just brought the  
18 merchandise, usually this is Alex or another guy  
19 over there. Mostly I know Alex and his partner. So  
20 that all I can say.

21 Q Do you have any independent recollection  
22 of any of the transactions that you referred to  
23 earlier today that appear in that book?

24 MR. FRIEDMAN: You are talking about the  
25 specific transactions from 1999? Does he have



1 a specific recollection of a particular  
2 delivery on a date in 1999?

3 MR. THOMPSON: Yes.

4 Q Do you?

5 A I don't remember. I didn't look. I just  
6 look whatever is being point to me to look at it  
7 here and that's what I remember said according to  
8 what I seeing.

9 MR. FRIEDMAN: The witness is not looking  
10 right now at the individual entries in the  
11 book. I just want the record to be clear.

12 MR. THOMPSON: Fine.

13 Q I will ask you to look at the book and I  
14 believe the first page that we looked was number 23.  
15 I will ask you to look at 123.

16 MR. FRIEDMAN: Correction. Number 22.

17 MR. THOMPSON: I apologize. Thank you,  
18 Mr. Friedman.

19 A 122, right.

20 Q Is there any writing on this page that was  
21 in your handwriting?

22 A No.

23 Q Do you recognize the handwriting that does  
24 appear on this page?

25 A I did not recognize the handwriting.

1 Q Would it be fair to state then that you  
2 don't know when this document was actually created?

3 A Actually created document?

4 Q Yes.

5 A I am not an expert. I cannot answer this  
6 question.

7 Q I ask you to look at page 26. I believe  
8 this is another page you looked at earlier; am I  
9 right?

10 A Yes.

11 Q Is your handwriting anywhere on this page?

12 A No.

13 Q I will ask you to look at page 34. Was  
14 this a page you looked at earlier?

15 A Yes.

16 Q Is your handwriting on this page at all?

17 A No.

18 Q And page 47?

19 A Yes.

20 Q Was that one of the pages you looked at?

21 A Yes.

22 Q Does your handwriting appear on this page  
23 at all?

24 A No.

25 Q I will ask you to take a few moments to

1 just look through the document Exhibit 3 and let me  
2 know if there are any pages on there that have your  
3 handwriting or signature at all?

4 A No.

5 Q Have you looked through the entire book?

6 MR. THOMPSON: Please take the time to  
7 look through the entire book.

8 A No.

9 Q Could you please describe for me what the  
10 process was when you received a delivery of products  
11 from Alex or Oleg?

12 A Practice?

13 Q What happened if they came to deliver  
14 products to you?

15 A Place the order; they deliver the product;  
16 I am calculating boxes; see what each box contain  
17 open up sometimes box check it out the package and  
18 stuff like this.

19 And give the order to worker in the store;  
20 how many to put in the showcase; and rest of it put  
21 in the downstairs in refrigeration.

22 Q With respect to the products that you  
23 received, did you receive an invoice from Alex or  
24 Oleg?

25 A Yes, I did.

1 Q What was the sort of document that you  
2 received?

3 A This is the first page from this book.

4 MR. FRIEDMAN: Referring to Petitioner's  
5 Exhibit 3.

6 Q Is that what you are referring to?

7 A Yes.

8 MR. THOMPSON: For the record, Exhibit 3  
9 appears to be a book that would have had  
10 numbered pairs of pages or at least pairs of  
11 pages with maybe carbon paper between them.

12 THE WITNESS: Right.

13 Q There could have been an original on top  
14 that was handed to you as part of the transaction?

15 A It is white one, yes.

16 Q The white copy?

17 A Yes.

18 Q And they would have maintained this other  
19 page within the bound volume for their records?

20 A Yes.

21 Q And the white copies are what you had for  
22 your records?

23 A Correct.

24 Q Those are the documents which would have  
25 been in the boxes that you had in the basement; is

1       that right?

2           A     Right.

3           Q     As part of the process, did you ever sign  
4       the receipt to say that this was received?

5           A     Actually, no.

6           Q     That wasn't your practice?

7           A     No.  It's actually my practice but we  
8       didn't do this with them because they just put the  
9       balance on the end every time.  And when we did paid  
10      and they deduct the balance, I just go according  
11      with my check written to them which is balance on  
12      the check.  And I check the balance what they  
13      invoice, what they just write in the current date.

14          Q     I am just trying to learn the process.

15          A     It's not -- everybody have their own  
16      process.  This is my process.  It's not rocket  
17      science but very simple to me.

18          Q     Sir, you would pay them by checks on  
19      delivery?

20          A     No, when it's accumulation amount I pay  
21      the check once in two week.  For example, whatever I  
22      don't remember one in two, it depends how the  
23      business goes, I write a check they just do the  
24      taking off from the balance previous give me the new  
25      balance and I just mark in my check paid for this

1 one the date and new balance.

2 Q Do you remember what corporation you wrote  
3 the checks to?

4 MR. FRIEDMAN: Time period?

5 MR. THOMPSON: I am just asking in general  
6 if he remembers.

7 Q Do you remember who you wrote the checks  
8 to?

9 A Yes, of course. They had in the beginning  
10 they are different corporation A & O, I believe,  
11 something like this. But just the corporation was  
12 changed and this is the name of the corporation.  
13 When it was, I cannot recall the dates or whatever  
14 but Four Seasons Dairy when they initial corporation  
15 we write checks to them.

16 Q Did you ever have dealings with other  
17 people than Alex and Oleg at Four Seasons?

18 A From Four Seasons?

19 Q Yes.

20 A No.

21 At the time when I was in the store in the  
22 time what they mostly they did the delivery. Both  
23 of them sometimes and one is actually there, like I  
24 just mentioned before. Maybe just later days they  
25 had another just. I don't know. Maybe few trucks.

1 That's what I remember. Him with someone other  
2 helper sometimes after they just before they was  
3 both of them after some while just Alex mostly come  
4 to our store with one of the helpers. And this is I  
5 remember just on the end of the days when I was in  
6 the store, this is what he did. This is in my  
7 memory. But from their company, I never did any  
8 business with anybody. Just they just usually do  
9 themselves.

10 Q Do you know if there were other people at  
11 A and O Corporation that you ever dealt with besides  
12 Alex and Oleg?

13 A No.

14 Q Do you know if Alexander or Oleg was  
15 affiliated with a company other than A & O and Four  
16 Seasons?

17 A No. I only know them A & O and Four  
18 Seasons.

19 Q Do you remember the first products you  
20 bought from Alex and Oleg?

21 A The first products was whatever they have,  
22 the first products. So we just bought from them the  
23 beginning. That's what I can say.

24 Q So you believe you were one of their first  
25 customers?

1           A     I know for sure I was one of the first  
2 customers.

3           Q     How do you know that?

4           A     Because they were started only on the  
5 diary product and in that time we was the main store  
6 in the Kings Highway and they were their main  
7 customer.

8           Q     Which time is that?

9           A     This time when we start to where with  
10 them. This is 1997, something like this, 1996, even  
11 1996.

12          Q     So you believe you first started working  
13 with Alex and Oleg in 1996?

14          A     Yes.

15          Q     The first Babushkin products you purchased  
16 were in 1997?

17          A     Babushkin when it's came on the market at  
18 that time 1997.

19          Q     On what do you base your statement that it  
20 was in 1997 that products first came on the market  
21 under the name Babushkin?

22          A     I based mostly on this what I just signed  
23 the letter and like I said before being signed the  
24 letter I checked my invoices to sign the letter.

25          Q     The letter also says that you ordered



1 products from them on a weekly basis.

2 Do you see that where Exhibit 9 says that?

3 A Yes.

4 Q Did you check your records to determine if  
5 you, in fact, bought Babushkin products on a weekly  
6 basis from them?

7 A I didn't have to check this one because I  
8 know this for a fact.

9 Q How do you know that for a fact?

10 A Because I ordered in at that time 10, 15  
11 cases what actually I need for the week.

12 Q That was?

13 A I did my ordering. I know for a fact from  
14 the most of my distributors I can tell you how I  
15 delivered or what days of the week I delivered.  
16 This is what I know. This is my job for ten years.  
17 I know.

18 Q Did you have recollection of dealing with  
19 Alex or Oleg every year for that period of time?

20 A Yes, I do. This is what I am just saying  
21 what we had some kind of friendship at that time  
22 when we worked because they are nice people, they  
23 are honest people and young people. I really had  
24 joy when they come talking to the people. That's  
25 all.

1                   Otherwise, if I didn't respect them I  
2                   wouldn't be here. This is, what I can say, spend my  
3                   time? I only know how hard they get to the point  
4                   where they are right now, with hard work. This is  
5                   what I respect them for.

6                   Q     I will ask you to look at Exhibit 3, page  
7                   22 again.

8                   A     Yes.

9                   Q     The date on that is January 19; is that  
10                  right?

11                  A     Yes.

12                  Q     Of 1999 according to the handwriting on  
13                  that page?

14                  A     Right.

15                  Q     I will ask you to look earlier that is by  
16                  going backwards to page one to see, are there any  
17                  other order forms mentioning Miller's in that book?

18                  A     Yes. You have a delivery here.

19                  Q     Are there any orders for the Babushkin  
20                  butter on that page?

21                  A     Yes, I believe the first one.

22                  Q     Where that's the line numbered one?

23                  A     Yes.

24                  Q     Which says, as I read it, BUTT second word  
25                  BAZAR?

1           A     I cannot see here exactly on the last two  
2 cases what is written down because the first one  
3 it's based on the spelling BT on the first one.  
4 It's not. You are right. It's not Babushkin. It's  
5 something in two words here. But I cannot right now  
6 read this one properly.

7                     On the last one it's two cases I also for  
8 me it's too hard to say the last one but the rest of  
9 them I can read. The last one I cannot just clearly  
10 read the last line.

11           Q     That would be the line on what it would be  
12 numbered six?

13           A     Number six, right.

14           Q     Do you remember buying any yogurt products  
15 from Four Seasons?

16           A     Yes, I did.

17           Q     May I ask in remembering that do you  
18 think, does that in any way help you understand that  
19 term?

20           A     Maybe. Like I said, right now I cannot  
21 recall this one. I bought all line of product from  
22 them but some of the days I just order some  
23 particular product which we have so many left and I  
24 don't need this one. So some weeks like you can see  
25 bigger invoice, you have smaller invoice. But here

1 I cannot read the last line. I don't know. And you  
2 ask me if the Babushkin is here. To me it doesn't  
3 to me appear to me yet on this particular invoice.

4 Q Do you mind continuing to look through the  
5 rest.

6 A No, that's it. Page 22.

7 Q So would it be fair to state then that  
8 based on these invoices you can't point to an order  
9 of Babushkin product between January 11 and  
10 January 19 other than the one we've looked at on  
11 page 22; is that right?

12 A Right.

13 Q Have you ever seen any products on the  
14 marketplace with the name Babushkin or Babushkino  
15 other than products from Four Seasons?

16 MR. FRIEDMAN: I will object. It is  
17 exceeding the scope of direct.

18 A I cannot recall this.

19 Q Have you ever dealt with my client  
20 International Gold Star Trading Corporation?

21 A Probably on few occasions on the fish and  
22 smoked sausages.

23 Q Those were products that Miller's carried?

24 A Right.

25 Q I will ask you to look again at Exhibit 1.

1 I will ask to you to take a moment to look at that  
2 again.

3 A Yes.

4 Q I believe that you testified earlier that  
5 this looks like the label but you can't state for  
6 sure if it was exactly like the label that you first  
7 started selling the product on.

8 A Not what I can say exactly the reason is I  
9 remember the product, the colors on the product was  
10 the same. This I can remember. Exactly like laid  
11 out the letters or whatever but this is I cannot  
12 tell you exactly saying exactly. I cannot do this  
13 one because I cannot remember exactly. I cannot  
14 recall this exactly but this is the product what I  
15 used to sell, maybe some changes, I don't know, made  
16 during this period of time but the product what I  
17 used to sell.

18 Q By "the product" you mean just the  
19 physical product itself or under the name Babushkin?

20 A Under the name Babushkin.

21 Q So you remember that you did sell a  
22 product?

23 A Definitely.

24 Q But you cannot remember exactly what the  
25 label looked like?

1           A     Not exactly but I cannot just pinpoint  
2 exactly. I don't know what's your determination on  
3 exactly here. The colors, the writing, everything  
4 it's like to me this label was on the product on the  
5 Babushkin what I sold from Four Dairy's product from  
6 this company.

7           Q     Four Dairy's product?

8           A     I mean from A & O Corporation and Four  
9 Seasons Diary product.

10          Q     I will point out to you, for example, on  
11 Exhibit 1 that on the top line going around the  
12 circle says manufactured for Four Seasons Diary  
13 Inc.?

14          A     Yes.

15          Q     Have you ever sold imported products from  
16 Russia, diary products from Russia?

17          A     Some period of time we had some yogurt,  
18 only the yogurt just what I remember actually.

19               MR. THOMPSON: I would like to take a  
20 break for a minute or two to look through my  
21 notes and confer with my client.

22                               (Whereupon, a brief recess was  
23 taken.)

24          Q     Thank you. I will ask you if anything has  
25 happened to change any of your testimony that you

1 provided so far?

2 A No.

3 Q Could you tell me what percentage of your  
4 business was done with Four Seasons in the time  
5 frame say 1998, 1999?

6 A You see, to me it's too hard to clarify  
7 kind of percentage. I am just on the checks  
8 specialist and do the calculation what percentage.  
9 It's a small percentage, very small percentage. You  
10 can calculate yourself in this case. If I will tell  
11 you, you can see the numbers on the invoice for a  
12 week, okay? And say my week just gross in that  
13 period of time would be related to this product what  
14 we just bought from them would be, say, between 40  
15 and 50,000 a week.

16 Q 40 or 50,000 units or dollars?

17 A I said the gross. Miller's Market the  
18 gross will be between 40 and 50,000 a week, okay?  
19 And what he did here in the business you do the  
20 calculation in proportion will show you what is the  
21 percentage.

22 Q That would be only --

23 A I cannot clarify for you. I am not that  
24 good on the number.

25 Q But the numbers in the book referring to

1 Exhibit 3?

2 A Yes.

3 Q Those numbers reflect what you paid for  
4 the goods, not what you sold them for.

5 Can you tell me what you sold them for?

6 A You can just add it up regular what is  
7 market 40 percent.

8 Q So your average markup on goods was  
9 40 percent of what the cost was?

10 A Right.

11 Q If it was paid a dollar for --

12 A Sold for a 1.40.

13 Q Have you ever been to Four Seasons office?

14 A No, I didn't.

15 Q How did Four Seasons deliver the Babushkin  
16 products to Miller's?

17 A By the trucks.

18 Q Did the trucks have any writing on them?

19 A Yes, I believe it was.

20 Q What sort of writing?

21 A I believe it was -- I cannot recall right  
22 now but I believe on the door it was A & O in  
23 beginning they had bought a used truck and A & O  
24 Corporation, something like this with the phone and  
25 address something. I cannot recall. I believe this



1 was on the door small writing.

2 Q The name on the truck, do you remember if  
3 it ever changed from A & O to something else?

4 A I cannot recall this. I never pay  
5 attention.

6 Q Do you ever remember seeing a truck that  
7 said Four Seasons Dairy on it?

8 A Yes, I did.

9 Q Do you remember when?

10 A No.

11 Q With respect to the invoices that you said  
12 you received that came out of books such as Exhibit  
13 3, you have indicated that you paid by check.

14 Did you always pay by check or did you  
15 sometimes pay by cash?

16 A By checks.

17 Q Always by checks?

18 A Yes.

19 Q What bank did you use?

20 A Chase Manhattan.

21 Q Do you know if Chase Manhattan still has  
22 records of your checking account?

23 A I think we have to ask Chase about this.

24 Q Did you ever receive any catalogs from  
25 International Gold Star Trading Corporation?

1 A Yes, I believe I did receive once.

2 Q Just once?

3 A Yes.

4 Q Do you remember when you received that  
5 catalog?

6 A No.

7 Q Just in general terms, do you remember if  
8 you received it near the end of the time you owned  
9 Miller's or the beginning of the time or in the  
10 middle?

11 A Somewhere closer to the end, I would say.

12 Q What would have been general range of  
13 2004?

14 A Closer to the end, just somewhere after  
15 the half period of time somewhere closer to the end.

16 Q You said you purchased some products from  
17 International Gold Star?

18 A Yes.

19 Q Do you remember the first time you  
20 purchased products from them?

21 A I purchased the product from Gold Stars  
22 once or twice for whole time what I am just being in  
23 the business at that time.

24 Q Do you remember when?

25 A No.

1 Q Do you remember if that was also near the  
2 end of your term of owning the store?

3 A It was somewhere in the second part of the  
4 time being in the business.

5 Q The second half?

6 A Second half of being in business, yes.

7 Q Do you remember if you have ever received  
8 catalogs from other sellers of products in the  
9 Russian specialty food product place?

10 A Yes, mostly what I received most my  
11 business was with Royal Baltic, and I used to  
12 receive the catalog from them when they used to do  
13 this one on a regular basis, the new one, whatever.

14 Q So you did a lot of business with the  
15 Royal Baltic and they sent you their catalogs  
16 regularly?

17 A Yes.

18 Q Do you remember when you first started  
19 dealing with Royal Baltic?

20 A The time when I just went to the store.

21 Q You mean when you first purchased the  
22 store?

23 A Right.

24 Q So that would have been in '93?

25 A Sometime in this period of time.

1 Q Do you remember ever getting catalogs from  
2 a company called Five Borough?

3 A Five Borough, probably, yes. I don't  
4 know, you know, the catalogs sometimes -- why I just  
5 remember from Royal Baltic because it was our main  
6 source for Russian product. We just buy from  
7 them -- used to buy from them. The rest of them  
8 just they could come in they could see me or they  
9 could see just some people in the store and they can  
10 handle just the catalog. I don't pay that much  
11 attention to the things at that time. Especially  
12 right now I cannot recall from who and what catalog  
13 because Easter Star or some other just lots of  
14 Russian wholesalers they was in at that time. I  
15 don't know just right now on the market still, all  
16 of them, probably but some of them did the catalogs  
17 and distribute to the stores. But I don't remember  
18 from who I just get this right now. I cannot  
19 remember exactly.

20 Q Do you remember ever receiving a price  
21 list from these companies?

22 A When they gave you the catalogs they give  
23 you the price list too on this or the general what  
24 they selling being comparative in the Russian  
25 market.

1 Q Do you remember getting a catalog from  
2 Natar?

3 A That for food? I used to buy from Natar  
4 too and catalog? I don't think at that time when I  
5 work was in the business. Natar made some catalogs.  
6 I cannot recall, tell you the truth, I cannot  
7 recall.

8 Q Do you remember ever buying Babushkin  
9 products from Natar?

10 A The whole line of product what I bought  
11 from Four Seasons I never by from another company.  
12 I bought directly from them. That's it. Because,  
13 like I said, we sold just some good portion of the  
14 product and at that time and they delivered to us  
15 and we bought from them.

16 Q Do you ever get a catalog from a company  
17 called Amros?

18 A I used to get -- I was in the business for  
19 a long time so Amros, what I just telling, yes, I  
20 don't know if I get the catalog but I get some  
21 product from them too. Not on a regular basis but  
22 once in a while I did. That store full size of  
23 store. We just get most of the product just from  
24 everybody. Some very seldom, some just once in a  
25 while, some on a regular basis. That's all.

1 Q You have indicated that you always paid  
2 Four Seasons by check.

3 A Yes.

4 Q Did you always pay all of your suppliers  
5 by check?

6 A Yes.

7 MR. THOMPSON: I have no further  
8 questions. I thank you very much.

9 MR. FRIEDMAN: I have just a couple of  
10 questions, if you don't mind.

11 EXAMINATION BY MR. FRIEDMAN:

12 MR. FRIEDMAN: I would like to have this  
13 marked, please, as Petitioner's Exhibit 20.

14 MR. THOMPSON: Isn't that one already had  
15 marked?

16 MR. FRIEDMAN: Is it?

17 MR. THOMPSON: I think so.

18 MR. FRIEDMAN: Do you want to hold on just  
19 one second so we can check.

20 MR. THOMPSON: I have got it as 14.

21 MR. FRIEDMAN: Right you are.

22 Q I am showing you what was previously  
23 marked as Petitioner's 14 at the deposition of  
24 April 10, 2008.

25 I ask you if you can identify that page?

1 A I see Royal Baltic LTD.

2 Q Do you recognize what this document is?

3 A Yes. They supply Royal Baltic with the  
4 merchandise.

5 Q By "they" who are you referring to?

6 A To the Four Seasons Corporation. This is  
7 a product.

8 Q But before we get there, can you identify  
9 what this document is?

10 A You had mentioned receiving price list  
11 from Royal Baltic. Is this an example of a price  
12 list that you would receive from Royal Baltic.

13 MR. THOMPSON: Objection; leading.

14 A When they have sale purposes and they send  
15 it to the stores, just as advertising like this one,  
16 this is what they used to do when they want to sell  
17 something directly. Close to the time shelf life  
18 for the product this is what they used to do what we  
19 call some one page of advertising whatever.

20 Q You are referring to Royal Baltic as  
21 "they"?

22 A Right, Royal Baltic.

23 Q And then earlier you were speaking of Four  
24 Seasons supplying Royal Baltic with the product?

25 A Yes. Just from what I understood they

1       supplied some wholesalers too and Royal Baltic one  
2       of the wholesalers who used to by from them. I  
3       don't know how right now because like I said I don't  
4       know. I didn't even -- Royal Baltic just friends of  
5       mine everything but I am in the different type of  
6       line of business right now and I didn't get some any  
7       contacts with these people. Maybe once in a while.

8               MR. FRIEDMAN: I have no further  
9       questions.

10              MR. THOMPSON: Nothing further.

11                               (Time noted: 1:30 p.m.)  
12  
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SHEIKHET

## A C K N O W L E D G E M E N T

STATE OF NEW YORK    )  
                              ) ss.:  
COUNTY OF NEW YORK )

I, LEON SHEIKHET, certify, I have read the transcript of my testimony taken under oath in my deposition of April 16, 2008; that the transcript is a true, complete and correct record of what was asked, answered and said during this deposition, and that the answers on the record as given by me are true and correct.

- - - - -  
LEON SHEIKHET

Sworn and subscribed to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

## SHEIKHET

## C E R T I F I C A T I O N

STATE OF NEW YORK    )  
                              ) ss.:  
COUNTY OF NEW YORK )

I, JUDITH CASTORE, Shorthand Reporter and Notary  
Public within and for the State of New  
York, do hereby certify:

That LEON SHEIKHET, the witness whose deposition is  
hereinbefore set forth, was duly sworn by  
me and that this transcript of such  
examination is a true record of the  
testimony given by such witness.

I further certify that I am not related to any of  
the parties to this action by blood or  
marriage and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this  
30th day of April, 2008.

  
JUDITH CASTORE

SHEIKHET

April 16, 2008

I N D E X

WITNESS

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SHEIKHET

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Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008  
\_\_\_\_\_  
Notary Public

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<p><b>A</b></p> <p><b>able</b> 18:5 36:10</p> <p><b>about</b> 9:9 16:24 19:13 25:6,16 37:24 54:23</p> <p><b>access</b> 22:22</p> <p><b>according</b> 10:5 11:23 13:15 25:12 37:9 38:7 42:10 47:12</p> <p><b>account</b> 54:22</p> <p><b>accountant</b> 27:11 28:1,19 29:20</p> <p><b>accounting</b> 25:12 26:21</p> <p><b>accumulate</b> 26:1</p> <p><b>accumulation</b> 42:20</p> <p><b>accuracy</b> 16:4</p> <p><b>accurate</b> 23:11 33:10</p> <p><b>accurately</b> 37:3</p> <p><b>action</b> 63:16</p> <p><b>actual</b> 13:18</p> <p><b>actually</b> 7:8 9:12 9:24 10:8,15,20 10:24 11:19 12:13 15:18 17:22,24 35:7 39:2,3 42:5,7 43:23 46:11 51:18</p> <p><b>add</b> 53:6</p> <p><b>address</b> 5:4 36:12 53:25</p> <p><b>admissible</b> 19:9</p> <p><b>advertising</b> 60:15 60:19</p> <p><b>advice</b> 10:5</p> <p><b>advised</b> 18:14</p> <p><b>affiliated</b> 44:15</p> <p><b>after</b> 7:1 21:22 22:18 24:22 26:13 34:17,22 44:2,3 55:14</p> <p><b>again</b> 19:1,17 22:15 23:9 47:7 49:25 50:2</p>	<p><b>against</b> 1:4</p> <p><b>ago</b> 17:3 21:15 26:20 34:8</p> <p><b>Agreed</b> 4:2,5,8 5:14</p> <p><b>Alex</b> 8:6 21:16 37:18,19 40:11,23 43:17 44:3,12,20 45:13 46:19</p> <p><b>Alexander</b> 8:1,3,4 8:12 9:3 14:23 17:21 44:14</p> <p><b>Alliance</b> 2:10</p> <p><b>allowed</b> 21:8 28:6</p> <p><b>along</b> 10:21</p> <p><b>already</b> 9:22 15:21 26:22 28:8,23 32:17 33:16,20 37:9 59:14</p> <p><b>always</b> 5:23 10:22 12:7 13:20 54:14 54:17 59:1,4</p> <p><b>ambiguous</b> 36:24</p> <p><b>American</b> 7:9 23:17</p> <p><b>among</b> 16:8 19:9</p> <p><b>amount</b> 30:25 42:20</p> <p><b>Amros</b> 58:17,19</p> <p><b>another</b> 10:22 31:8 33:8 36:1 37:18 39:8 43:25 58:11</p> <p><b>answer</b> 5:20,21 31:22 39:5</p> <p><b>answered</b> 28:16 33:15 62:14</p> <p><b>answering</b> 5:24 22:12</p> <p><b>answers</b> 62:15</p> <p><b>anybody</b> 22:5 35:7 44:8</p> <p><b>anything</b> 7:2 9:9 29:24 31:11 51:24</p> <p><b>anyway</b> 9:23 16:1</p> <p><b>anywhere</b> 39:11</p> <p><b>apologize</b> 38:17</p> <p><b>appear</b> 20:8 37:23</p>	<p>38:24 39:22 49:3</p> <p><b>appears</b> 11:16 19:25 41:9</p> <p><b>approximately</b> 6:10</p> <p><b>April</b> 1:16 2:5 11:4 14:3 15:7 59:24 62:11 63:20 64:2</p> <p><b>Apt</b> 5:4</p> <p><b>around</b> 51:11</p> <p><b>asked</b> 15:3 28:16 33:15 34:11 35:4 62:13</p> <p><b>asking</b> 5:17 23:4,8 30:9 31:23 43:5</p> <p><b>assume</b> 17:25</p> <p><b>attempting</b> 30:17</p> <p><b>attention</b> 11:7 12:16 54:5 57:11</p> <p><b>attorney</b> 3:4 5:12</p> <p><b>Attorneys</b> 3:8</p> <p><b>audibly</b> 5:20</p> <p><b>August</b> 1:1</p> <p><b>Avenue</b> 3:9 20:24</p> <p><b>average</b> 23:17 53:8</p> <p><b>away</b> 27:22 29:5,6 35:3</p> <p><b>a.m</b> 2:5</p> <p><b>B</b></p> <p><b>Babushkin</b> 9:7,8,10 9:19,22 17:20 18:18 20:1,5,7 45:15,17,21 46:5 47:19 48:4 49:2,9 49:14 50:19,20 51:5 53:15 58:8</p> <p><b>Babushkino</b> 49:14</p> <p><b>back</b> 6:15 13:19 16:20 22:13 23:6 25:21 27:11,15 29:23 30:18,21</p> <p><b>backwards</b> 47:16</p> <p><b>badger</b> 29:9</p> <p><b>badgering</b> 30:14</p> <p><b>balance</b> 13:21 42:9 42:10,11,12,24,25</p>	<p>43:1</p> <p><b>Baltic</b> 56:11,15,19 57:5 60:1,3,11,12 60:20,22,24 61:1 61:4</p> <p><b>bank</b> 54:19</p> <p><b>base</b> 10:13 45:19</p> <p><b>based</b> 22:25 23:11 23:13,21 25:17 45:22 48:3 49:8</p> <p><b>basement</b> 16:17 25:1 41:25</p> <p><b>basis</b> 7:21 18:24 46:1,6 56:13 58:21,25</p> <p><b>BAZAR</b> 47:25</p> <p><b>Beach</b> 22:10</p> <p><b>before</b> 2:11 4:9,11 5:11,24 6:20 16:5 22:12 24:3,9,13 24:19 25:21,25 43:24 44:2 45:23 60:8 62:20</p> <p><b>beginning</b> 6:14 7:22 10:24 11:22 18:20 26:12 43:9 44:23 53:23 55:9</p> <p><b>being</b> 10:16 12:9 22:2 33:3 38:6 45:23 55:22 56:4 56:6 57:24</p> <p><b>Bekker</b> 8:1,3,4,12 9:3 14:24 17:21</p> <p><b>believe</b> 12:1 15:20 16:1 19:24 22:17 23:22 24:1 26:11 32:1,3 35:22 36:17 38:14 39:7 43:10 44:24 45:12 47:21 50:4 53:19 53:21,22,25 55:1</p> <p><b>bell</b> 37:11</p> <p><b>besides</b> 44:11</p> <p><b>between</b> 4:2 30:12 41:11 49:9 52:14 52:18</p>	<p><b>big</b> 7:14 10:2 27:21</p> <p><b>bigger</b> 48:25</p> <p><b>bill</b> 37:9,10,12</p> <p><b>birthday</b> 9:17</p> <p><b>bit</b> 7:4</p> <p><b>blends</b> 18:16</p> <p><b>blood</b> 63:16</p> <p><b>book</b> 11:19,20,21 12:3 36:18,22,23 37:1,3,23 38:11 38:13 40:5,7 41:3 41:9 47:17 52:25</p> <p><b>books</b> 54:12</p> <p><b>Borough</b> 57:2,3</p> <p><b>both</b> 10:24 43:22 44:3</p> <p><b>bottom</b> 11:8,12,17 12:18,24 13:5,10 13:22 15:12 19:2</p> <p><b>bought</b> 6:19 14:7,9 27:23 31:17 36:11 44:20,22 46:5 48:21 52:14 53:23 58:10,12,15</p> <p><b>bound</b> 41:19</p> <p><b>box</b> 40:16,17</p> <p><b>boxes</b> 40:16 41:25</p> <p><b>brand</b> 8:22 9:2,4,5 18:18,18</p> <p><b>brands</b> 9:3</p> <p><b>break</b> 51:20</p> <p><b>brief</b> 51:22</p> <p><b>briefly</b> 7:16</p> <p><b>Brighton</b> 21:13 22:9</p> <p><b>Broadway</b> 3:5</p> <p><b>Brooklyn</b> 1:15 2:11 5:4 18:17</p> <p><b>brought</b> 15:2,21 37:17</p> <p><b>BT</b> 48:3</p> <p><b>business</b> 6:13,15,23 10:9 21:7,9 22:8 24:21 30:24 42:23 44:8 52:4,19 55:23 56:4,6,11</p>
--	--	--	---	---

56:14 58:5,18 61:6 <b>BUTT</b> 47:24 <b>butter</b> 8:24 9:19 14:7 18:16 47:20 <b>buy</b> 14:8 20:1 57:6 57:7 58:3 <b>buying</b> 18:15 48:14 58:8 <b>buys</b> 7:9 <b>B3</b> 18:17	<b>characterize</b> 27:5 33:3 <b>Chase</b> 54:20,21,23 <b>check</b> 15:25 17:15 18:4 25:9 28:15 36:13 40:17 42:11 42:12,12,21,23,25 46:4,7 54:13,14 59:2,5,19 <b>checked</b> 16:19,20 18:1,2 24:2 29:20 45:24 <b>checking</b> 16:19 54:22 <b>checks</b> 42:18 43:3,7 43:15 52:7 54:16 54:17 <b>cheese</b> 8:25 <b>chosen</b> 9:10 <b>circle</b> 51:12 <b>clarify</b> 23:15 52:6 52:23 <b>clean</b> 24:22 <b>clear</b> 30:15 38:11 <b>clearly</b> 48:9 <b>client</b> 14:19 21:9 49:19 51:21 <b>clients</b> 21:6 <b>close</b> 24:22 29:6 32:21 60:17 <b>closed</b> 21:21 22:7 <b>closer</b> 55:11,14,15 <b>closing</b> 7:24 21:5 34:16 36:2 <b>COHEN</b> 3:8 <b>colloquy</b> 19:13 <b>colors</b> 50:9 51:3 <b>come</b> 10:18 14:15 14:23 44:3 46:24 57:8 <b>commercially</b> 14:21 <b>common</b> 27:3 <b>companies</b> 57:21 <b>company</b> 11:21 44:7,15 51:6 57:2	58:11,16 <b>comparative</b> 57:24 <b>complete</b> 62:12 <b>confer</b> 51:21 <b>conferred</b> 5:7 <b>confidential</b> 14:18 <b>connection</b> 14:25 27:2 <b>consecutive</b> 11:14 <b>contacts</b> 61:7 <b>contain</b> 40:16 <b>content</b> 18:8 <b>context</b> 21:7,10 <b>continue</b> 20:8 <b>continuing</b> 49:4 <b>conversation</b> 9:25 34:20,23 <b>copies</b> 36:2,14 41:21 <b>copy</b> 12:3,20,22 13:1,6 41:16 <b>CORP</b> 1:8 <b>corporation</b> 6:5 11:24 18:19 19:22 43:2,10,11,12,14 44:11 49:20 51:8 53:24 54:25 60:6 <b>correct</b> 22:19,20,21 23:5 24:5,6 27:16 30:2,19,21 36:8,9 41:23 62:13,16 <b>Correction</b> 38:16 <b>cost</b> 53:9 <b>cottage</b> 8:25 <b>counsel</b> 4:3 5:7 <b>COUNTY</b> 62:6 63:4 <b>couple</b> 10:10 59:9 <b>course</b> 8:7,20 16:11 17:10 43:9 <b>court</b> 2:10 4:11 5:18,20 <b>cream</b> 8:23 <b>created</b> 39:2,3 <b>current</b> 34:11 42:13	<b>currently</b> 20:17 <b>customer</b> 10:3 45:7 <b>customers</b> 44:25 45:2 <b>Cyrillic</b> 14:10 20:4	62:14 63:10 <b>describe</b> 8:11,14,14 40:9 <b>determination</b> 51:2 <b>determine</b> 21:6 36:11 46:4 <b>diagnostic</b> 20:22 <b>diary</b> 7:13,15 8:20 8:21 10:2 20:9 45:5 51:9,12,16 <b>different</b> 43:10 61:5 <b>direct</b> 21:2 49:17 <b>directly</b> 21:12 58:12 60:17 <b>disagree</b> 27:4 <b>distribute</b> 57:17 <b>distribution</b> 22:3 <b>distributors</b> 12:8 46:14 <b>diversified</b> 7:4 <b>doctrine</b> 19:10 <b>document</b> 11:2,18 12:6 14:1,4,17 15:5,10,16,18,20 19:5,9,17 28:13 28:21 31:24 35:1 36:18 39:2,3 40:1 41:1 60:2,9 <b>documents</b> 12:11 12:12,13,14 14:20 17:18 22:18,22 23:15 25:25 26:4 27:20,21,24 28:1 28:2,4,20,22,23 28:24 29:4,13,18 29:21 30:5,12,20 30:25 31:2,14,16 31:16 32:4,7,16 32:17,24,25 33:3 33:4,6,8,13,13,16 33:17,23 34:3,12 35:5,8 36:3,7 41:24 <b>dollar</b> 53:11 <b>dollars</b> 52:16
--	--	---	---	--

<p>done 26:23 52:4  door 53:22 54:1  down 5:19 48:2  downstairs 40:21  drivers 22:5  duly 5:2 63:11  during 5:17 20:9  50:16 62:14  duties 7:16  d/b/a 6:4 18:15,22</p> <hr/> <p><b>E</b></p> <p>E 3:2,2 62:3,3,3  63:2 64:3  each 24:25 29:6  40:16  earlier 29:24 37:23  39:8,14 47:15  50:4 60:23  Easter 57:13  effect 4:10  employed 20:17,20  emptied 24:25 25:1  25:1 26:3 32:22  empty 26:3  end 6:14 18:12  26:12 27:7 42:9  44:5 55:8,11,14  55:15 56:2  ending 11:11  English 26:8 30:15  enough 25:3  entire 40:5,7  entries 38:10  especially 7:22  17:10 57:11  ESQ 3:4,11  even 13:15 21:14  21:15 45:10 61:4  events 17:6  ever 22:8 42:3  43:16 44:11 49:13  49:19 51:15 53:13  54:3,6,24 56:7  57:1,20 58:8,16  every 42:9 46:19  everybody 42:15</p>	<p>58:24  everything 5:19  17:12 26:23 31:1  51:3 61:5  evidence 19:5,10  exact 17:13  exactly 9:16 15:23  17:24 19:20,24  48:1 50:6,8,10,12  50:12,13,14,24  51:1,2,3 57:19  examination 4:9  5:6 20:14 21:2  59:11 63:13  examined 5:5  examining 5:12  example 7:18 28:20  42:21 51:10 60:11  exceeding 49:17  exceeds 21:2  except 4:6 5:8  exhibit 11:3 14:2  14:11 15:6 16:13  18:9 19:18,20  22:14 36:17 40:1  41:5,8 46:2 47:6  49:25 51:11 53:1  54:12 59:13  exhibits 5:13  expert 39:5  explain 26:9 29:10  explaining 26:7  explore 21:8</p> <hr/> <p><b>F</b></p> <p>F 63:2  fact 16:7 22:3,25  23:14 24:2 25:5  31:9 46:5,8,9,13  fair 17:5 23:10 39:1  49:7  familiar 36:19  family 21:25  far 33:10 52:1  few 7:6 10:14 26:13  26:17 27:2 34:7  39:25 43:25 49:21</p>	<p>Fifth 3:9  figure 28:12  file 25:1,5 27:21  31:2,3,4 32:5,21  files 24:25 28:19  filing 4:3  Fine 38:12  Finest 18:15,23  finish 5:24 22:11  first 7:22 16:15  21:20,22 38:14  41:3 44:19,21,22  44:24 45:1,12,15  45:20 47:21 48:2  48:3 50:6 55:19  56:18,21  fish 49:21  five 7:22 10:9,11  12:12,13,14 17:2  24:10,13,19,23  25:13,13,16,18,20  25:21 26:4,20,22  27:12 28:3,4,22  29:4,7,21 31:8  32:4 34:8 57:2,3  floor 16:15  follows 5:5  food 7:10 56:9 58:3  force 4:10  form 4:6 5:9 17:8  25:23 27:1 33:25  forms 47:17  forth 16:5 63:11  foundation 21:11  four 1:2 5:16 8:4  12:21 13:2 17:2  18:16,20,23 43:14  43:17,18 44:15,17  48:15 49:15 51:5  51:7,8,12 52:4  53:13,15 54:7  58:11 59:2 60:6  60:23  frame 52:5  fresh 17:6,12  Friedman 3:4 5:6,7</p>	<p>5:15 11:1 13:12  14:20 19:4,8,14  20:12,25 22:11  23:2,6,24 25:23  26:25 27:17 28:16  30:7,13 33:15,25  36:24 37:5,24  38:9,16,18 41:4  43:4 49:16 59:9  59:11,12,16,18,21  61:8  friends 61:4  friendship 46:21  from 6:10,11 7:2,23  8:17,19,21,24  10:16,21,25 12:8  12:21 13:2,21  14:8,8,9 15:23  17:21 18:16,23  19:22 21:17 25:7  25:11,20 27:22  30:5,18 31:8,16  36:4 37:25 40:11  40:23 41:3 42:24  43:18 44:7,20,22  46:1,6,13 48:15  48:21 49:15 51:5  51:5,8,15,16  52:14 54:3,24  55:16,20,21 56:8  56:12 57:1,5,6,7  57:12,18,21 58:1  58:3,9,11,11,12  58:15,16,21,23  60:11,12,25 61:2  full 18:8 58:22  further 4:5,8 20:12  59:7 61:8,10  63:15</p> <hr/> <p><b>G</b></p> <p>G 62:3  GALINA 3:14  garbage 32:23  gave 16:19 33:19  34:2,4 57:22  general 43:5 55:7</p>	<p>55:12 57:23  genuine 36:22,25  getting 57:1 58:1  give 23:18 40:19  42:24 57:22  given 62:16 63:14  go 29:23 42:10  goes 42:23  going 7:12 9:14,18  9:20 11:1,13,15  14:1 15:5 17:18  18:7 19:4,15  20:25 22:13 26:25  27:11,15 35:2  47:16 51:11  Gold 1:7 3:14  49:20 54:25 55:17  55:21  gone 28:8,24 29:7  32:17  good 10:7 21:24  22:4 29:10 52:24  58:13  goods 7:10 53:4,8  gross 52:12,17,18  grounds 21:1  group 33:12  guy 37:17,18  guys 10:7,8 21:16</p> <hr/> <p><b>H</b></p> <p>half 17:2 55:15  56:5,6  hand 14:1 63:19  handed 15:19  41:14  handing 11:4  handle 57:10  handwriting 13:22  15:17 37:13,16  38:21,23,25 39:11  39:16,22 40:3  47:12  happened 12:5  21:15 23:19 40:13  51:25  hard 10:7,17 13:14</p>
---	---	---	--	---

22:1 47:3,4 48:8 52:6 <b>harder</b> 17:14 <b>Having</b> 5:2 <b>hear</b> 9:5 <b>hearsay</b> 19:7 <b>held</b> 2:9 <b>hello</b> 21:24 <b>help</b> 10:21 21:17 48:18 <b>helper</b> 44:2 <b>helpers</b> 44:4 <b>hereinbefore</b> 63:11 <b>hereto</b> 4:3 <b>hereunto</b> 63:19 <b>Highway</b> 6:7 45:6 <b>him</b> 16:19 21:13,16 21:17,20 22:11 23:4,8 30:9 34:2,4 44:1 <b>hold</b> 59:18 <b>honest</b> 22:1 46:23	<b>initial</b> 43:14 <b>interested</b> 63:18 <b>International</b> 1:7 3:14 49:20 54:25 55:17 <b>interrupt</b> 14:16 <b>invoice</b> 11:24 12:20 13:2,7,18 40:23 42:13 48:25,25 49:3 52:11 <b>invoices</b> 13:15 15:25 45:24 49:8 54:11 <b>involved</b> 7:18 15:1 <b>Issued</b> 1:1 <b>item</b> 13:24 18:23	33:19 34:13,24 35:1,2 36:22 37:7 37:8,10,17 38:5 38:11 40:1 42:8 42:10,13,14,23,25 43:5,11,24,24,25 44:2,3,5,8,8,22 45:22 46:20 48:9 48:22 50:18 51:1 51:18 52:7,12,14 53:6 55:2,7,14,22 56:20 57:4,6,8,9 57:10,13,15,18 58:13,19,23,23,24 59:9,18 60:15,25 61:4	58:20 61:3,4 <b>knowledge</b> 32:14 <b>known</b> 8:6 <b>knows</b> 21:17 <hr/> <b>L</b> <hr/> <b>L</b> 62:3 <b>label</b> 19:21 50:5,6 50:25 51:4 <b>labels</b> 20:8 <b>laboratory</b> 20:21 <b>laid</b> 50:10 <b>language</b> 30:16 <b>last</b> 34:7 48:1,7,8,9 48:10 49:1 <b>later</b> 10:20 43:24 <b>laying</b> 21:10 <b>leading</b> 60:13 <b>learn</b> 42:14 <b>least</b> 41:10 <b>leave</b> 32:4 <b>leaving</b> 29:15 <b>left</b> 12:3 13:10 21:22 28:5,25 31:15,24 32:7,25 33:5,9 35:1 48:23 <b>legal</b> 15:1 <b>LEON</b> 1:14 2:9 62:9,18 63:10 <b>less</b> 19:20 20:2,3 <b>let</b> 14:16 21:12 22:11 40:1 <b>letter</b> 15:4,22 16:5 16:18,23,24,25 17:25 22:13,18 23:1,11 24:7,16 24:20 25:8 26:14 26:18 45:23,24,24 45:25 <b>letterhead</b> 11:24 <b>lettering</b> 14:10 20:7 <b>letters</b> 50:11 <b>let's</b> 33:1 <b>LIEBERMAN</b> 3:8 <b>life</b> 60:17 <b>like</b> 6:16 7:5,10 10:17 11:20,21	12:12,16,22 13:3 14:12 21:25 22:1 23:17 27:20 28:17 28:20 29:3 33:2 36:22 37:1 40:18 43:11,23 45:10,23 48:20,24 50:5,6 50:10,25 51:4,19 53:24 58:13 59:12 60:15 61:3 <b>line</b> 9:1 21:1 47:22 48:10,11,21 49:1 51:11 58:10 61:6 <b>list</b> 57:21,23 60:10 60:12 <b>little</b> 7:4 <b>LLP</b> 3:8 <b>located</b> 6:6 20:23 20:24 <b>long</b> 6:8 7:12 17:17 28:1 34:9 58:19 <b>longer</b> 22:21 <b>look</b> 11:6 15:8 19:15 22:14 24:5 26:19 38:5,6,6,13 38:15 39:7,13 40:1,7 47:6,15 49:4,25 50:1 51:20 <b>looked</b> 16:9 37:14 38:14 39:8,14,20 40:5 49:10 50:25 <b>looking</b> 36:21 38:9 <b>looks</b> 12:22 13:3 36:22 37:1 50:5 <b>lot</b> 56:14 <b>lots</b> 57:13 <b>LTD</b> 60:1 <b>L-E-O-N</b> 5:1 <hr/> <b>M</b> <hr/> <b>M</b> 62:3 <b>made</b> 37:10 50:15 58:5 <b>main</b> 7:20 45:5,6 57:5 <b>mainly</b> 6:25
<hr/> <b>I</b> <hr/> <b>identify</b> 11:18 15:10 36:7 59:25 60:8 <b>immediately</b> 37:11 <b>important</b> 10:6 <b>imported</b> 51:15 <b>Inc</b> 1:2 5:16 18:15 18:16,21,22,24 36:15 51:13 <b>Including</b> 16:12 20:4 <b>income</b> 26:21 <b>independent</b> 37:2 37:21 <b>independently</b> 37:7 <b>indicate</b> 36:3 <b>indicated</b> 21:4 54:13 59:1 <b>individual</b> 34:10 35:17 38:10 <b>individuals</b> 36:3 <b>information</b> 14:25 16:5,9	<hr/> <b>J</b> <hr/> <b>January</b> 18:20 47:9 49:9,10 <b>job</b> 7:20 22:6 46:16 <b>joy</b> 46:24 <b>Judith</b> 1:21 2:11 63:7,23 <b>just</b> 6:11,19,21 7:4 7:11 9:8,12,15,15 9:16,17,18,18,19 9:21,25 10:1,1,3,7 10:10,13,22,24 11:15,20,20,21,24 12:12 13:12,14,15 13:17,20 14:12,13 14:16 15:2,3,21 15:22,22,23,24,25 15:25 16:1,12,17 16:18,21 17:16,24 17:24 18:7 19:15 19:24 21:14,16,23 21:25 22:9 23:14 23:18 24:21,22,22 25:3,4,6,9,10,11 26:6,13,19,25 27:22 28:5,6,7,12 28:17,17 29:4,7,8 30:22,24,25 31:3 31:5,6,12,17,23 32:3,21,22 33:5	<hr/> <b>K</b> <hr/> <b>K</b> 62:3 <b>keep</b> 11:13 12:14 24:9,24 25:13 27:11 28:2,6,23 29:21 36:5 <b>kept</b> 12:7,12 24:11 24:23 25:11,12,13 25:18 26:4 27:20 27:22 28:2,4 31:8 34:25 <b>Kessler</b> 8:9,12 9:4 14:24 17:21 <b>kind</b> 12:8 22:4 23:17 46:21 52:7 <b>Kings</b> 6:7 45:6 <b>know</b> 9:7,9,12,14 9:16 10:4 15:3 16:17,20 18:3 21:12 23:14 24:2 25:5 26:8,24 28:14 31:4,9 32:3 32:18 33:13,20 35:5,15 37:6,16 37:19 39:2 40:2 43:25 44:10,14,17 45:1,3 46:8,9,13 46:16,17 47:3 49:1 50:15 51:2 54:21 57:4,4,15	<hr/> <b>L</b> <hr/> <b>L</b> 62:3 <b>label</b> 19:21 50:5,6 50:25 51:4 <b>labels</b> 20:8 <b>laboratory</b> 20:21 <b>laid</b> 50:10 <b>language</b> 30:16 <b>last</b> 34:7 48:1,7,8,9 48:10 49:1 <b>later</b> 10:20 43:24 <b>laying</b> 21:10 <b>leading</b> 60:13 <b>learn</b> 42:14 <b>least</b> 41:10 <b>leave</b> 32:4 <b>leaving</b> 29:15 <b>left</b> 12:3 13:10 21:22 28:5,25 31:15,24 32:7,25 33:5,9 35:1 48:23 <b>legal</b> 15:1 <b>LEON</b> 1:14 2:9 62:9,18 63:10 <b>less</b> 19:20 20:2,3 <b>let</b> 14:16 21:12 22:11 40:1 <b>letter</b> 15:4,22 16:5 16:18,23,24,25 17:25 22:13,18 23:1,11 24:7,16 24:20 25:8 26:14 26:18 45:23,24,24 45:25 <b>letterhead</b> 11:24 <b>lettering</b> 14:10 20:7 <b>letters</b> 50:11 <b>let's</b> 33:1 <b>LIEBERMAN</b> 3:8 <b>life</b> 60:17 <b>like</b> 6:16 7:5,10 10:17 11:20,21	<hr/> <b>M</b> <hr/> <b>M</b> 62:3 <b>made</b> 37:10 50:15 58:5 <b>main</b> 7:20 45:5,6 57:5 <b>mainly</b> 6:25



<b>maintain</b> 19:8 <b>maintained</b> 16:10 16:14 30:5 41:18 <b>make</b> 17:23 25:15 29:8 31:19 <b>managing</b> 20:20 <b>Manhattan</b> 54:20 54:21 <b>manner</b> 31:11 <b>manufactured</b> 51:12 <b>many</b> 13:15 29:13 40:20 48:23 <b>mark</b> 42:25 <b>marked</b> 11:2 14:2 14:17 15:6 19:18 59:13,15,23 <b>market</b> 6:3,4,25 7:2 7:9 10:12 12:9,21 13:2,7 17:20 19:21 45:17,20 52:17 53:7 57:15 57:25 <b>marketplace</b> 49:14 <b>markup</b> 53:8 <b>marriage</b> 63:17 <b>matter</b> 1:1 16:7 22:3 63:18 <b>matters</b> 18:18 <b>may</b> 4:9 5:10 11:15 16:23,25 24:7,13 26:18 48:17 <b>maybe</b> 34:22 41:11 43:24,25 48:20 50:15 61:7 <b>mean</b> 7:9,10 8:15 9:5 11:24 24:22 25:10 28:3,9 32:20 50:18 51:8 56:21 <b>means</b> 27:3 37:2 <b>meat</b> 6:5,25 7:2 18:14,22 36:15 <b>Meats</b> 18:15 <b>memories</b> 13:19 <b>memory</b> 13:16 17:5	44:7 <b>mentioned</b> 43:24 60:10 <b>mentioning</b> 47:17 <b>merchandise</b> 7:10 10:23 37:18 60:4 <b>met</b> 10:10,13 21:5 21:12,13 <b>methods</b> 16:8 <b>middle</b> 55:10 <b>might</b> 17:13 26:7 31:3 <b>Miller's</b> 6:3,4 10:11 12:9,21 13:2,7 17:20 18:15,22 19:21 47:17 49:23 52:17 53:16 55:9 <b>mind</b> 17:7 49:4 59:10 <b>mine</b> 61:5 <b>mini</b> 7:5 <b>mini-market</b> 7:7 <b>minute</b> 19:15 51:20 <b>Mischaracterizat...</b> 23:25 <b>mischaracterizing</b> 23:3 27:18 30:8 30:13 <b>mixed</b> 31:4 <b>moment</b> 11:15 50:1 <b>moments</b> 39:25 <b>Montague</b> 2:10 <b>months</b> 21:15 26:13,17 <b>more</b> 12:14 17:6 19:20 20:2,3 24:19 31:20 <b>most</b> 7:11,21 46:14 56:10 58:23 <b>mostly</b> 37:19 43:22 44:3 45:22 56:10 <b>move</b> 19:4 25:4 <b>much</b> 10:16 16:16 29:10 57:10 59:8 <hr/> <b>N</b> <hr/> <b>N</b> 3:2 62:3,3 63:2	64:3 <b>name</b> 5:15 6:2 7:6 7:11 8:22 9:4,9,10 9:13,18 10:5,6 35:16,20 37:8 43:12 45:21 49:14 50:19,20 54:2 <b>names</b> 9:2,2 <b>Natar</b> 58:2,3,5,9 <b>native</b> 30:15 <b>near</b> 55:8 56:1 <b>need</b> 9:1 19:12 25:4 28:7 29:18 35:2 35:11 46:11 48:24 <b>needs</b> 31:7 <b>never</b> 22:9 44:7 54:4 58:11 <b>new</b> 1:15 2:11,13 3:6,6,10,10 5:3,5 18:17 21:23,24 30:20 42:24 43:1 56:13 62:5,6 63:3 63:4,8 <b>nice</b> 21:24 22:3 46:22 <b>notary</b> 2:12 4:9 5:2 5:11 62:24 63:7 <b>noted</b> 61:11 <b>notes</b> 19:16 51:21 <b>nothing</b> 34:13 61:10 <b>number</b> 5:18 11:11 11:16 12:17,24 13:5 38:14,16 48:13 52:24 <b>numbered</b> 41:10 47:22 48:12 <b>numbers</b> 11:8 13:10 17:14 31:10 52:11,25 53:3 <hr/> <b>O</b> <hr/> <b>O</b> 18:19 19:22 43:10 44:11,15,17 51:8 53:22,23 54:3 62:3 63:2 <b>oath</b> 62:11	<b>object</b> 17:8 20:25 25:23 26:25 33:25 49:16 <b>objection</b> 14:18 19:7,23 23:2,24 27:17 30:7 36:24 37:5 60:13 <b>objections</b> 4:6 5:8 <b>occasion</b> 7:25 8:8 <b>occasions</b> 10:15 49:21 <b>occurred</b> 35:12 <b>Ocean</b> 20:24 <b>off</b> 42:24 <b>office</b> 20:21 53:13 <b>offices</b> 2:10 <b>Oh</b> 8:5 <b>okay</b> 5:22 9:19 12:19 15:21 19:14 30:22 32:5 33:19 34:2,5 52:12,18 <b>old</b> 28:23 33:7,9 34:12 <b>oldest</b> 28:13 29:17 31:24 <b>Oleg</b> 8:9,12 9:4 14:24 17:21 40:11 40:24 43:17 44:12 44:14,20 45:13 46:19 <b>once</b> 42:21 55:1,2 55:22 58:22,24 61:7 <b>one</b> 10:22,22 11:13 12:1,1 16:19 23:16 28:22 33:22 36:5 39:20 41:15 42:22 43:1,23 44:4,24 45:1 46:7 47:16,21,22 48:2 48:3,6,7,8,9,21,24 49:10 50:13 56:13 56:13 59:14,19 60:15,19 61:1 <b>ongoing</b> 21:9 <b>only</b> 10:24 14:20	44:17 45:4 47:3 51:18 52:22 <b>open</b> 6:19 25:2 40:17 <b>opened</b> 6:18 <b>opening</b> 7:24 <b>operating</b> 32:12 <b>operation</b> 6:20 <b>order</b> 25:12 36:18 36:22,23 37:1 40:15,19 47:17 48:22 49:8 <b>ordered</b> 45:25 46:10 <b>ordering</b> 46:13 <b>orders</b> 47:19 <b>original</b> 5:13 12:2,5 12:7 19:2 37:12 37:12 41:13 <b>originally</b> 32:25 <b>other</b> 19:9 41:18 43:16 44:1,10,15 47:17 49:10,15 56:8 57:13 <b>otherwise</b> 18:5 31:10 47:1 <b>out</b> 6:11,12,15 15:25 21:3,10 25:4 28:10,12 29:25 31:19 32:22 33:7,7,16,18,21 34:3,12,15,17 35:5,8,10 36:13 40:17 50:11 51:10 54:12 <b>outcome</b> 63:18 <b>over</b> 18:4 22:2 25:2 27:21 28:4,5,7 30:24 31:2,7 32:5 32:21 33:1,21 35:1,5 37:7,10,19 <b>own</b> 6:8 42:15 <b>owned</b> 5:25 55:8 <b>owner</b> 7:17 8:1,13 28:6 30:20 33:20 34:11 35:9,14,15
---	---	---	---	--

<b>owners</b> 22:5 33:22 35:23 <b>owning</b> 56:2 <hr/> <b>P</b> <b>P</b> 3:2,2 <b>package</b> 40:17 <b>page</b> 11:12,16,17 12:17,23 13:4 15:12 38:14,20,24 39:7,8,11,13,14 39:16,18,22 41:3 41:19 47:6,13,16 47:20 49:6,11 59:25 60:19 64:4 <b>pages</b> 11:9 37:13 39:20 40:2 41:10 41:11 <b>paid</b> 42:9,25 53:3 53:11 54:13 59:1 <b>pairs</b> 41:10,10 <b>paper</b> 7:10 24:3 41:11 <b>papers</b> 23:15 <b>paragraph</b> 18:10 <b>paragraphs</b> 18:9 <b>parlance</b> 27:3 <b>part</b> 41:14 42:3 56:3 <b>particular</b> 38:1 48:23 49:3 <b>parties</b> 4:3 63:16 <b>partner</b> 37:19 <b>past</b> 19:10 <b>PAVANE</b> 3:8 <b>pay</b> 42:18,20 54:4 54:14,15 57:10 59:4 <b>people</b> 10:17 22:1,4 35:5 43:17 44:10 46:22,23,23,24 57:9 61:7 <b>percent</b> 53:7,9 <b>percentage</b> 52:3,7,8 52:9,9,21 <b>period</b> 7:3 9:24 23:19 25:7,16	27:10 28:3 31:8 31:14 32:2 34:14 34:17,25 43:4 46:19 50:16 51:17 52:13 55:15 56:25 <b>person</b> 23:18 32:15 35:23 36:1,8 <b>personally</b> 33:17 <b>Petitioner</b> 1:3 2:9 3:4 <b>Petitioner's</b> 11:3 14:2 15:6 16:13 18:9 19:18,20 41:4 59:13,23 <b>phone</b> 53:24 <b>physical</b> 50:19 <b>picture</b> 9:21,22 <b>PINCOW</b> 3:14 <b>pinpoint</b> 51:1 <b>place</b> 15:4 28:5 33:21 40:15 56:9 <b>places</b> 10:14 <b>please</b> 11:7 12:17 12:23 14:6 15:8 18:8,14 20:16 40:6,9 59:13 <b>plus</b> 23:14 24:1 <b>point</b> 21:3 34:24 38:6 47:3 49:8 51:10 <b>pointing</b> 13:12 <b>PONTANI</b> 3:8 <b>portion</b> 58:13 <b>possession</b> 5:12 <b>practice</b> 40:12 42:6 42:7 <b>premises</b> 29:16 30:20 <b>prepared</b> 15:19 <b>PRESENT</b> 3:13 <b>preserve</b> 19:6 <b>previous</b> 14:1 33:19 35:9,14 42:24 <b>previously</b> 11:2 15:6 19:18 59:22	<b>price</b> 57:20,23 60:10,11 <b>print</b> 11:20 <b>printing</b> 11:21 <b>prior</b> 26:4 28:18,22 29:4 <b>probably</b> 10:8 21:15 25:3 26:1 49:21 57:3,16 <b>problem</b> 26:8 <b>proceeding</b> 15:1 <b>process</b> 40:10 42:3 42:14,16,16 <b>product</b> 7:11 8:19 8:20 9:14,21 10:2 14:9,13 18:16 19:21 20:9,10 40:15 45:5 48:21 48:23 49:9 50:7,9 50:9,14,16,18,19 50:22 51:4,5,7,9 52:13 55:21 56:9 57:6 58:10,14,21 58:23 60:7,18,24 <b>products</b> 7:7,8,13 7:19,20 8:17,21 9:3,11 17:21 40:10,14,22 44:19 44:21,22 45:15,20 46:1,5 48:14 49:13,15,23 51:15 51:16 53:16 55:16 55:20 56:8 58:9 <b>professional</b> 30:23 <b>progress</b> 10:20 <b>proper</b> 18:5 <b>properly</b> 48:6 <b>proportion</b> 52:20 <b>provide</b> 14:25 <b>provided</b> 52:1 <b>Public</b> 2:12 4:10 5:2 62:24 63:8 <b>purchase</b> 8:17,21 8:23,23,24,25 <b>purchased</b> 6:24 7:1 8:19 36:4 45:15	55:16,20,21 56:21 <b>purchasing</b> 7:19,20 17:20,23 18:23 19:22 20:10 <b>purposes</b> 33:2,6 60:14 <b>put</b> 9:14 11:22 16:1 16:22 32:23 40:20 40:20 42:8 <b>p.m</b> 61:11 <hr/> <b>Q</b> <b>question</b> 4:6 5:9,24 17:9 22:11 25:24 26:9 27:1 34:1 36:25 39:6 <b>questions</b> 5:18 20:12 21:1 59:8 59:10 61:9 <hr/> <b>R</b> <b>R</b> 3:2 63:2 <b>range</b> 55:12 <b>read</b> 15:22 18:8,10 23:6,12,14 47:24 48:6,9,10 49:1 62:9 <b>really</b> 46:23 <b>reason</b> 9:12 30:23 50:8 <b>recall</b> 9:15 17:13 37:6 43:13 48:21 49:18 50:14 53:21 53:25 54:4 57:12 58:6,7 <b>receipt</b> 42:4 <b>receive</b> 40:23 54:24 55:1 56:12 60:12 <b>received</b> 22:25 23:1 40:10,23 41:2 42:4 54:12 55:4,8 56:7,10 <b>receiving</b> 57:20 60:10 <b>recently</b> 26:21 <b>recess</b> 51:22 <b>recognize</b> 13:1,9	14:3 21:16,18 38:23,25 60:2 <b>recollect</b> 17:19 31:5 31:10 32:6 <b>recollection</b> 19:11 22:24 23:12,13 37:21 38:1 46:18 <b>record</b> 5:21 18:8 19:13 21:4 23:7 23:16 24:2 25:11 38:11 41:8 62:13 62:15 63:13 <b>recorded</b> 37:4 <b>records</b> 16:10,12 16:15,16 19:11 23:22 24:1,4,9,23 24:24 25:8,9,18 27:11,15 41:19,22 46:4 54:22 <b>referred</b> 37:22 <b>referring</b> 22:18 32:24 41:4,6 52:25 60:5,20 <b>reflect</b> 13:6 53:3 <b>reflected</b> 14:11 <b>reflects</b> 13:22,24 <b>refrigeration</b> 40:21 <b>Registrant</b> 1:9 <b>Registration</b> 1:1 <b>regular</b> 7:21 53:6 56:13 58:21,25 <b>regularly</b> 56:16 <b>related</b> 52:13 63:15 <b>relationship</b> 21:7,9 22:4 <b>remember</b> 9:14,24 10:8,15,16,22 13:14,19 15:23 17:16 23:18 26:20 27:19 31:22,23,25 33:24 34:2,4,7,9 34:22 35:12,13,16 35:20 36:6 37:8 38:5,7 42:22 43:2 43:7 44:1,5,19 48:14 50:9,10,13
---	--	---	---	--

50:21,24 51:18 54:2,6,9 55:4,7,19 55:24 56:1,7,18 57:1,5,17,19,20 58:1,8 <b>remembering</b> 48:17 <b>remembers</b> 43:6 <b>Reported</b> 1:20 <b>reporter</b> 2:12 5:18 5:21 63:7 <b>Reporting</b> 2:10 <b>represent</b> 5:16 <b>represented</b> 19:19 <b>reserved</b> 4:7 5:9 <b>respect</b> 22:1 33:12 40:22 47:1,5 54:11 <b>respective</b> 4:3 <b>Respondent</b> 3:8 <b>responsibilities</b> 7:17 <b>rest</b> 28:7 29:5,6 35:1 40:20 48:8 49:5 57:7 <b>retain</b> 5:12 <b>return</b> 13:24 <b>returned</b> 13:17,20 <b>returns</b> 36:14 37:10 <b>reviewed</b> 23:22 <b>rid</b> 29:17 33:23 <b>right</b> 5:19 8:15 14:12 16:3,14 17:1,1,12 18:3 20:20 22:23 24:7 24:10,18 25:19 26:15 27:8,13 29:14,19,22 32:9 33:2 34:19 36:20 38:10,19 39:9 41:12 42:1,2 47:4 47:10,14 48:4,5 48:13,20 49:11,12 49:24 53:10,21 56:23 57:12,15,18	59:21 60:22 61:3 61:6 <b>rings</b> 37:9,11 <b>rocket</b> 42:16 <b>Roger</b> 3:11 27:1 <b>room</b> 31:20 <b>roughly</b> 27:15 32:2 <b>Royal</b> 56:11,15,19 57:5 60:1,3,11,12 60:20,22,24 61:1 61:4 <b>running</b> 8:2 <b>Russia</b> 51:16,16 <b>Russian</b> 7:8 14:10 20:7 56:9 57:6,14 57:24 <hr/> <b>S</b> <hr/> <b>S</b> 3:2 <b>sale</b> 60:14 <b>same</b> 4:4,10 50:10 <b>Samuel</b> 3:4 5:15 <b>sausages</b> 49:22 <b>saw</b> 22:9 <b>saying</b> 25:17 27:6 31:5 46:20 50:12 <b>says</b> 17:25 20:5 45:25 46:2 47:24 51:12 <b>science</b> 42:17 <b>scope</b> 21:2 49:17 <b>sealing</b> 4:4 <b>Seasons</b> 1:2 5:16 8:4 12:21 13:2 18:16,20,24 43:14 43:17,18 44:16,18 48:15 49:15 51:9 51:12 52:4 53:13 53:15 54:7 58:11 59:2 60:6,24 <b>second</b> 33:12 47:24 56:3,5,6 59:19 <b>secret</b> 14:21 <b>see</b> 6:22 11:7,11 12:4 14:13,24 17:18 19:12 21:19 37:7,8,11 40:16	46:2 47:16 48:1 48:24 52:6,11 57:8,9 60:1 <b>seeing</b> 38:8 54:6 <b>seen</b> 21:20 49:13 <b>seldom</b> 58:24 <b>selection</b> 7:14 <b>self</b> 10:20 <b>sell</b> 7:7,13 27:25 50:15,17,21 60:16 <b>sellers</b> 56:8 <b>selling</b> 28:18 50:7 57:24 <b>send</b> 60:14 <b>sensitive</b> 14:21 <b>sent</b> 56:15 <b>set</b> 16:5 33:8 63:11 63:19 <b>sets</b> 33:3 <b>seven</b> 7:23 <b>several</b> 21:5 <b>Sheikhet</b> 1:14 2:9 5:15 62:1,9,18 63:1,10 64:1,5 <b>shelf</b> 60:17 <b>shopping</b> 21:14 <b>short</b> 34:14 <b>Shorthand</b> 2:12 63:7 <b>shortly</b> 9:23 <b>show</b> 11:1 14:19 15:5 21:16 52:20 <b>showcase</b> 40:20 <b>showing</b> 19:17 59:22 <b>sign</b> 15:3 16:24 42:3 45:24 <b>signature</b> 15:11,13 15:14,15 16:1 19:1,2 40:3 <b>signed</b> 4:9,10 15:16 16:6 22:13,17 23:15 24:3 25:8 25:10 45:22,23 <b>simple</b> 42:17 <b>since</b> 10:11 14:17	18:18 21:4,21 24:17 35:23 <b>Sir</b> 30:22 42:18 <b>six</b> 7:22 21:15 25:6 48:12,13 <b>size</b> 58:22 <b>sleep</b> 20:21 <b>small</b> 28:5 52:9,9 54:1 <b>smaller</b> 48:25 <b>smoked</b> 49:22 <b>sold</b> 7:8,11 9:3 10:11 25:11,18,20 25:21,25 26:2,11 26:20 27:7,14 28:13,18,19,21 29:3,12,16 30:4 30:11,18 31:6,13 31:18 32:10 33:21 34:21,24 35:17,23 35:25 51:5,15 53:4,5,12 58:13 <b>solely</b> 22:25 <b>some</b> 7:4 8:24 9:20 10:5,14,14,21 13:18,24 14:25 15:4 17:2,13,14 17:18 23:15 26:8 31:3,14,19 33:6 34:17 35:4 44:3 46:21 48:22,22,24 50:15 51:17,17 55:16 57:9,13,16 58:5,13,20,24,24 58:25 60:19 61:1 61:6 <b>somebody</b> 29:17 35:25 <b>somehow</b> 35:4 <b>someone</b> 32:10 44:1 <b>something</b> 6:15 13:21 43:11 45:10 48:5 53:24,25 54:3 60:17 <b>sometime</b> 26:12	27:6 56:25 <b>sometimes</b> 9:15 40:17 43:23 44:2 54:15 57:4 <b>somewhere</b> 10:14 55:11,14,15 56:3 <b>sorry</b> 14:22 28:9 <b>sort</b> 41:1 53:20 <b>sour</b> 8:23 <b>source</b> 57:6 <b>space</b> 16:16 25:2,3 35:2,11,15 <b>speak</b> 7:16 <b>speaking</b> 60:23 <b>specialist</b> 52:8 <b>specialty</b> 56:9 <b>specific</b> 37:25 38:1 <b>spelling</b> 48:3 <b>spend</b> 47:2 <b>spoke</b> 9:18 <b>ss</b> 62:6 63:4 <b>stamp</b> 11:22 <b>Star</b> 1:7 3:14 49:20 54:25 55:17 57:13 <b>Stars</b> 55:21 <b>start</b> 16:21 17:22 17:23 22:12 25:8 33:1 45:9 <b>started</b> 15:24 17:20 19:22 24:16 45:4 45:12 50:7 56:18 <b>starting</b> 18:11 29:23 <b>state</b> 2:13 5:3 23:10 39:1 49:7 50:5 62:5 63:3,8 <b>stated</b> 5:3 22:17 24:9,16 <b>statement</b> 45:19 <b>statements</b> 23:10 23:21 <b>stay</b> 28:24 29:2 31:3 <b>staying</b> 29:5 31:2 <b>stays</b> 13:16 18:4 <b>still</b> 12:11 19:6 25:6
---	--	--	---	--

<p>29:2 32:12,15,15 33:13 54:21 57:15 <b>stipulated</b> 4:2,5,8 5:8 <b>store</b> 5:25 6:2,6,8 6:18,20,23 7:1,17 7:21 8:1,2,13,17 10:18 12:7,9 16:10,15 17:11,11 17:15,20 21:5,17 21:18,21,23 22:6 22:8 23:17 24:23 24:25 25:10,11,12 25:18,21,22,25 26:1,2,2,3,11,20 27:7,14,19,20,23 27:25 28:6,13,18 28:18,19,21 29:1 29:3,12,16,16 30:4,5,11,18 31:6 31:13,17,18 32:8 32:10,12,15,22 33:9,14,16,20 34:11,16,21,24 35:9,18,22 36:4 36:11,12 37:8 40:19 43:21 44:4 44:6 45:5 56:2,20 56:22 57:9 58:22 58:23 <b>stores</b> 57:17 60:15 <b>Street</b> 2:11 5:4 18:17 <b>stuff</b> 40:18 <b>subscribed</b> 62:20 <b>subsequent</b> 22:7 33:22 34:20,23 35:23 <b>Suite</b> 2:11 3:5,9 18:17 <b>supermarket</b> 7:5 <b>supplied</b> 61:1 <b>suppliers</b> 59:4 <b>supply</b> 60:3 <b>supplying</b> 60:24 <b>supposed</b> 12:2</p>	<p><b>sure</b> 16:2,2,20 17:17 18:2,3 23:18 25:15 29:8 45:1 50:6 <b>sworn</b> 4:9,11 5:2,11 62:20 63:11 <b>S-H-E-I-K-H-E-T</b> 5:1</p> <hr/> <p><b>T</b></p> <p><b>T</b> 62:3 63:2,2 <b>take</b> 7:12 10:5 11:6 15:4,8 19:15 22:14 26:19 39:25 40:6 50:1 51:19 <b>taken</b> 2:9 51:23 62:10 <b>takes</b> 7:9 <b>taking</b> 5:19 42:24 <b>talking</b> 25:6 37:24 46:24 <b>tax</b> 26:22 36:14 <b>tell</b> 10:4 20:16 30:22 35:10 36:21 37:2,17 46:14 50:12 52:3,10 53:5 58:6 <b>telling</b> 30:23 58:19 <b>ten</b> 25:3 26:1 46:16 <b>term</b> 27:2 48:19 56:2 <b>terms</b> 9:2 55:7 <b>testified</b> 5:5 36:17 50:4 <b>testimony</b> 23:3,25 27:18 30:8 51:25 62:10 63:14 <b>thank</b> 18:25 20:15 38:17 51:24 59:8 <b>their</b> 8:25 9:14 11:22 41:19 42:15 44:7,24 45:6 56:15 <b>themselves</b> 44:9 <b>thing</b> 16:3 <b>things</b> 19:9 22:6 34:14 57:11</p>	<p><b>think</b> 27:3 48:18 54:23 58:4 59:17 <b>Thompson</b> 3:11 5:14,24 14:16,22 17:8 19:6,12,23 20:14 21:3 23:4,8 27:4 28:9 30:9 38:3,12,17 40:6 41:8 43:5 51:19 59:7,14,17,20 60:13 61:10 <b>though</b> 4:10 <b>three</b> 27:3 <b>threw</b> 28:10 29:5,6 31:19 33:6,7 35:3 <b>through</b> 16:12 31:1 35:4 36:13 40:1,5 40:7 49:4 51:20 <b>throw</b> 27:21 29:24 33:17,21 34:3,12 34:15,17 <b>thrown</b> 35:8,10 <b>time</b> 4:7 5:10,25 6:24 7:12,22 8:25 9:24 10:2,16,19 10:20 14:14,15,23 15:23 17:15,23 18:1,2 20:9,13 21:19,20 22:2,7 23:16,19 24:10 25:7,7 26:16 27:10,14 28:8,12 29:13 30:4,18 31:8,14,17,17 32:1 33:5 34:14 34:18,21,22,23,25 35:2 40:6 42:9 43:4,21,22 45:5,8 45:9,18 46:10,19 46:21 47:3 50:16 51:17 52:4,13 55:8,9,15,19,22 55:23 56:4,20,25 57:11,14 58:4,14 58:19 60:17 61:11 <b>times</b> 10:10,14 21:5</p>	<p>33:21 <b>today</b> 9:5 17:7 22:24 23:11,21 24:5 31:6 32:12 37:23 <b>told</b> 27:11 28:20 35:7,15,25 <b>top</b> 41:13 51:11 <b>touch</b> 10:13 <b>toward</b> 11:8,11 13:9 <b>trade</b> 14:21 <b>Trading</b> 1:8 3:14 49:20 54:25 <b>transaction</b> 41:14 <b>transactions</b> 37:22 37:25 <b>transcript</b> 5:10 62:10,12 63:12 <b>transferred</b> 30:19 <b>treatment</b> 20:22 <b>trial</b> 4:7 5:10 <b>tried</b> 16:2 <b>truck</b> 53:23 54:2,6 <b>trucks</b> 43:25 53:17 53:18 <b>true</b> 30:10,11 62:12 62:16 63:13 <b>trunk</b> 10:25 <b>truth</b> 30:22 58:6 <b>try</b> 26:9 <b>trying</b> 10:4 21:6 25:15 26:6 28:12 29:8,9,10 31:12 42:14 <b>turn</b> 11:7,16 12:16 12:23 13:4 <b>Twenty-six</b> 12:19 <b>twice</b> 55:22 <b>two</b> 7:3 18:9 33:3 33:20 42:21,22 48:1,5,7 51:20 <b>type</b> 14:7,9 15:18 15:20 61:5 <b>typed</b> 15:21 <b>types</b> 7:6</p>	<p><b>U</b></p> <p><b>under</b> 18:18,19,20 19:10 45:21 50:19 50:20 62:10 <b>understand</b> 25:15 26:6 29:9 30:17 31:12 32:7 33:8 36:25 48:18 <b>understood</b> 60:25 <b>units</b> 52:16 <b>Unsurpassed</b> 6:5 18:14,22 36:15 <b>until</b> 5:23 27:23 <b>use</b> 9:21 27:2 54:19 <b>used</b> 14:8 16:8 20:1 21:17 50:15,17 53:23 56:11,12 57:7 58:3,18 60:16,18 61:2 <b>usually</b> 11:23 12:1 37:18 44:8</p> <hr/> <p><b>V</b></p> <p><b>Vague</b> 19:23 <b>valuable</b> 10:3 <b>verified</b> 16:4 <b>verify</b> 16:9 <b>very</b> 10:17 22:4 42:17 52:9 58:24 59:8 <b>volume</b> 10:2 41:19</p> <hr/> <p><b>W</b></p> <p><b>W</b> 62:3 <b>wait</b> 5:23 <b>waived</b> 4:4 <b>want</b> 11:25 18:10 38:11 59:18 60:16 <b>wanted</b> 29:17 <b>wasn't</b> 34:20 42:6 <b>way</b> 10:5 18:4 26:10 30:23 36:10 48:18 63:17 <b>week</b> 7:23 42:21 46:11,15 52:12,12 52:15,18 <b>weekly</b> 18:24 46:1</p>
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46:5 <b>weeks</b> 34:8 48:24 <b>well</b> 13:4,6,14 15:2 21:3 <b>went</b> 6:11,12 16:12 56:20 <b>were</b> 7:18 8:2,12 15:1 20:9 23:22 27:10 29:15 30:5 30:12,20 33:6,7,9 35:7,8,10 36:4 37:3 44:10,24 45:4,6,16 49:23 60:23 <b>West</b> 5:4 <b>we've</b> 49:10 <b>WHEREOF</b> 63:19 <b>while</b> 8:1 44:3 58:22,25 61:7 <b>white</b> 12:2 41:15,16 41:21 <b>whole</b> 55:22 58:10 <b>wholesalers</b> 57:14 61:1,2 <b>wife</b> 21:13,14,16 <b>wife's</b> 9:17,21 <b>witness</b> 11:2,5 13:13 28:11 30:14 30:14 38:9 41:12 63:10,14,19 64:4 <b>word</b> 47:24 <b>words</b> 48:5 <b>work</b> 16:21 47:4 58:5 <b>worked</b> 10:23 17:11 46:22 <b>worker</b> 10:7 40:19 <b>workers</b> 10:21 22:1 <b>working</b> 10:17 24:24 45:12 <b>worth</b> 29:21 <b>wouldn't</b> 47:2 <b>write</b> 42:13,23 43:15 <b>writing</b> 13:9 20:4 37:9,12 38:20	51:3 53:18,20 54:1 <b>written</b> 42:11 48:2 <b>wrote</b> 43:2,7 <hr/> <b>X</b> <b>x</b> 1:2,10 64:3 <hr/> <b>Y</b> <b>year</b> 6:12 15:24 21:22,23,24 25:1 25:16 29:6 46:19 <b>years</b> 6:9,17,20 7:3 7:23 9:17 10:9,11 12:12,13,15 13:16 17:2 24:10,13,19 24:23 25:3,7,13 25:13,18,20,21 26:1,4,20,23 27:12 28:3,4,22 29:4,7,13,21 31:8 32:4 34:8 46:16 <b>yogurt</b> 48:14 51:17 51:18 <b>York</b> 1:15 2:11,13 3:6,6,10,10 5:3,5 18:17 62:5,6 63:3 63:4,9 <b>young</b> 46:23 <hr/> <b>0</b> <b>03</b> 26:18 <hr/> <b>1</b> <b>1</b> 14:2 19:18,20 49:25 51:11 <b>1.40</b> 53:12 <b>1:30</b> 61:11 <b>10</b> 11:4 14:3 15:7 46:10 59:24 <b>10007</b> 3:6 <b>10176</b> 3:10 <b>11</b> 6:9,17 49:9 <b>11:20</b> 2:5 <b>11204</b> 18:17 <b>12th</b> 5:4 <b>1210</b> 3:9	122 38:19 <b>123</b> 38:15 <b>14</b> 59:20,23 <b>15</b> 46:10 <b>16</b> 1:16 2:5 16:23 16:25 24:7,13 62:11 64:2 <b>1804</b> 3:5 <b>189</b> 2:10 <b>19</b> 47:9 49:10 <b>1914</b> 6:7 <b>1994</b> 6:15 <b>1996</b> 9:17 45:10,11 45:13 <b>1997</b> 17:6 18:19 19:22 24:17 31:6 45:10,16,18,20 <b>1998</b> 24:14 27:15 28:25 29:3,4,24 30:12,21 31:6 32:2 52:5 <b>1999</b> 18:20 27:15 28:25 37:25 38:2 47:12 52:5 <hr/> <b>2</b> <b>2,479,287</b> 1:1 <b>20</b> 59:13 <b>2000</b> 26:11 28:25 <b>2001</b> 1:1 <b>2003</b> 6:14 16:23,25 17:7 22:25 23:1 23:12,13,23 24:1 24:7,13 26:12 27:7,10,23 28:21 28:25 29:3,12,23 30:6,11,12 <b>2004</b> 6:11,11,12,14 26:12 27:7,10 55:13 <b>2008</b> 1:16 2:5 11:4 14:3 15:7 59:24 62:11 63:20 64:2 <b>21</b> 1:1 <b>22</b> 11:11,16 38:16 47:7 49:6,11 <b>225</b> 3:5	<b>23</b> 38:14 <b>2402</b> 18:17 <b>2583</b> 20:24 <b>26</b> 12:17 39:7 <b>2881</b> 5:4 <hr/> <b>3</b> <b>3</b> 11:3 16:13 36:17 40:1 41:5,8 47:6 53:1 54:13 <b>3-C</b> 5:4 <b>30th</b> 63:20 <b>34</b> 12:24 39:13 <hr/> <b>4</b> <b>40</b> 6:20 52:14,16,18 53:7,9 <b>47</b> 13:5 39:18 <hr/> <b>5</b> <b>50</b> 9:17 <b>50,000</b> 52:15,16,18 <b>503</b> 2:11 <b>551</b> 3:9 <hr/> <b>6</b> <b>65th</b> 18:17 <hr/> <b>7</b> <b>7</b> 64:5 <hr/> <b>8</b> <b>87</b> 32:6 <b>871.75</b> 13:10 <b>88</b> 32:6 <hr/> <b>9</b> <b>9</b> 15:6 18:9 22:14 46:2 <b>93</b> 6:17 56:24 <b>94</b> 6:17 27:22 <b>98</b> 17:6 30:5
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# **PETITIONER'S EXHIBIT 1**

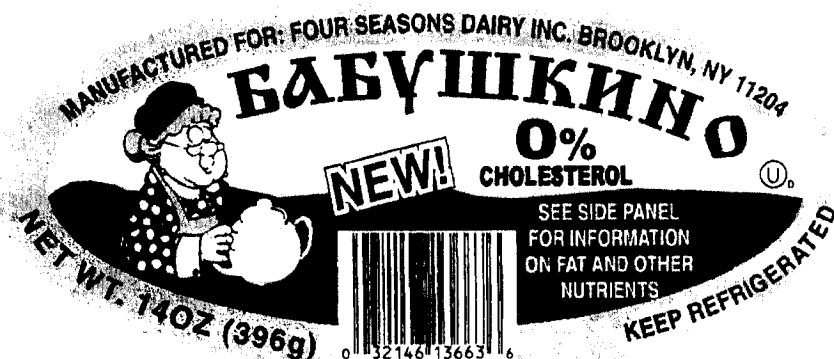
**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

EXHIBIT

Pittman-1  
4/10/08 PR

EXHIBIT

Four Seasons  
Gold Star  
#92042082



# **PETITIONER'S EXHIBIT 3**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**



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FOR SEASONS  
Gold Star  
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2	13.86 COM 10.24	
3	13.66 BABY 24	
4	12.66 BABY 24	
5	12.66 VOLD 600 30	
6	13.12 BABY 12.45	
7	13.12 BABY 12.45	
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2	B. 46 VIOLETT	3x30	
3	B. 46 A. 2A Od.	1185	
4			
5	B. 46 BARY	1245	
6	B. 46 B. 1245	870	
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3	BABY BIRD	39	
4	Odesia BIRD	310	
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4	B. 11. V. 11/11/11	1330		
5	B. 11. V. 11/11/11	1252		
6	B. 11. V. 11/11/11	1279		
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3	B. H. Kari	24	
4	B. H. BAB. Linn	24	
5	Thm Bab. Linn	516	
6	B. H. Linn	30	
7	B. H. Linn	1915	
8	B. H. Linn	1257	
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2	2016 COM	10124	
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4	S. R. R. B. Chem	12
5	B. W. R. B. W. A.	11.68
6	S. L. B. W. M. Chem	12.87
7	S. L. B. D. W. E.	12
8	B. L. B. V. O. D. G. A.	30
9	B. W. R. B. W. A. O. D. E. W.	12.00
10	S. R. R. B. W. M. A. R. I. N.	12
11	S. R. R. B. W. M. A. R. I. N.	12.35
12	S. L. B. W. M. A. R. I. N.	12.56
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8829-13

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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE Q5  
 BROOKLYN, NY 11223  
 M TEL (917) 805-4696

Address

Reg. No.	Clerk	Account Forward	
1	BARBARA 2104		
2			
3	BARBARA		
4	BARBARA 2130		
5	BARBARA		
6			
7			
8			
9			
10			
11			
12			
13			
14	8829-14		
15			

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

# THANK YOU

## Call Again

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

### FOUR SEASONS DAIRY, INC.

1710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

M TEL (917) 805 4695

Address

Reg. No.	Clerk	Account Forward		
1				
2	F.F.D.	J.M.		
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

8829-15

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 805-4695

Q-1793

Address *Albany*

Reg. No.	Clerk	Account Forward	
1	<i>FF, D</i>	<i>25</i>	
2	<i>V21.602</i>	<i>30</i>	
3	<i>SPRING</i>	<i>12</i>	
4			
5			
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15			

**8829-16**

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET SUITE C5  
 BROOKLYN, NY 11223

M. TEL (917) 805-4685

Address

Reg. No.

Clerk

Account  
Forward

1	Van Buren		
2	Bob Smith		
3	DAVE	162	
4	Adams	199	
5			
6			
7			
8			
9			
10			
11			
12			
13			
14	8829-17		
15			

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THANK YOU  
Call Again  
We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

M TEL (317) 805-0005

Address

Reg. No.	Clerk	Account Forward
1	BUTOW	84
2	BUTOW	84
3	F.F.A.	84
4	BAINZ & BAY	88
5		
6		
7		
8		
9		
10	BUTOW	84
11	40600	84
12	44442	
13		
14	8829-1	

Your Account Stated to Date. If Error is Found, Return at Once.

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

OUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
M. TEL. (917) 805-4608

Address

Reg. No.	Clerk	Account Forward
1	B. B. COMPTON 8/31/32	
2	B. H. ROW 1/1/34	
3		
4		
5		
6	BALANCE	
7		
8		
9		
10		
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12		
13		
14	8829-19	
15		

1200. Your Account Stated to Date - If Error Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (917) 805-4635

Address *7th Ave*

Reg. No.	Clerk	Account Forward
1	B. 66 KDW 1524	
2	G. 66 BABUSH 24	
3	B. 66 V226 4130	
4	B. 66 T. ARM 3130	
5	B. 66 2nd BAY 2075	
6	11:55-11:42	
7	1:57-1:20 OAK 1148	
8	12:40-12:40	
9	B. 66 2nd 1016W 2524	
10	12:13-12:11	
11	4:50-4:50 CARS 87.5	
12	4:52-4:22	
13		
14	8829	
15		

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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET SUITE C5  
BROOKLYN, NY 11223

M. TEL (917) 805-4895

Address

Reg. No.	Clerk	Account Forward
1	6/1/86	6/1/86
2	4381419	8/1/86
3		
4	BALANCE	
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	8829-21	
15		

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

THANK YOU  
Call Again  
We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY, INC.  
1730 WEST 4th STREET SUITE 65  
BROOKLYN, NY 11223  
TEL (817) 806-1685

M. 01-19-99  
Address MILLER AVE

Reg. No.	Clerk	Account Forward
1	BAKE VIOLO	3150
2	BAKE PA 211	99
3	BAKE VIOLO	211
4	BAKE BABUSHNY	
5		
6		
7	BAKE	
8		
9		
10		
11		
12		
13		
14	8829-22	
15		

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

10852

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY  
1710 WEST 4th STREET  
BROOKLYN, NY 11223  
TEL (817) 805-4800

Address Ford BARN

Reg. No.	Clerk	Account Forward
1	BROWN 01	
2	VERONA 30	
3	BARN 115	
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	8829-23	
15		

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 41ST STREET SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 865-4695

01-22-8999

Address 1710 West 41st St

Reg. No.	Clerk	Account Forward	
1	BARBARA	15	
2	VOLODOV	15	
3	PARSA	114	
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

8829-24

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

110 MEDICAL CENTER  
 110 MEDICAL CENTER  
 110 MEDICAL CENTER

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C3  
 BROOKLYN, NY 11223  
 TEL: (917) 805-4695

Address *DRA*

Reg. No.	Clerk	Account Forward		
1	<i>REG BAS</i>			
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

**8829-25**

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (917) 605-1695

Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward
1	<i>W. W. 123</i>	[REDACTED]
2	<i>Job. No. 600 419</i>	[REDACTED]
3		
4		
5		[REDACTED]
6		[REDACTED]
7	<i>B. N. 100</i>	[REDACTED]
8		
9		[REDACTED]
10		[REDACTED]
11		
12		
13		
14		
15		

**8829-26**

1800 Your Account Stated to Date. If Error is Found Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1210 WEST 4th STREET SUITE 65  
 BROOKLYN, NY 11223  
 M. TEL. (817) 806-4695

Address MIAMI BEACH, FLA.

Reg. No.	Clerk	Account Forward
1	13010000000000000000	32
2	13010000000000000000	34
3	13010000000000000000	34
4	13010000000000000000	34
5	13010000000000000000	34
6	13010000000000000000	34
7	13010000000000000000	34
8		
9		
10		
11		
12		
13		
14		
15		

**8829-27**

1200 Your Account Stated to Date: If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE 65

BROOKLYN, NY 11223

M. TEL (917) 805-4893

Address

Reg. No.	Clerk	Account Forward
01	12-64 Kow	01 x 2
32	13-16 BAZON	01 x 3
43	13-16 BAZON	01 x 4
04	13-16 BAZON	01 x 5
05	13-16 BAZON	01 x 6
06	13-16 BAZON	01 x 7
07	13-16 BAZON	01 x 8
08	13-16 BAZON	01 x 9
09		
10		
11		
12		
13		
14		
15		

8829-28

Printed on Account Stated in Data - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

THANK YOU  
Call Again

**Address**

Reg. No.	Clerk	Account Forward
1	BULLERSON	
2	BULLERSON	
3	BULLERSON	
4	BULLERSON	
5	BULLERSON	
6		
7		
8		
9		
10		
11		
12		
13		
14	8829-29	
15		

200 Your Account Stated to Date: If Error Is Found, Return to Office

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE G5  
 BROOKLYN, NY 11228  
 M TEL (917) 605-4635

Address

Reg. No.

Clerk

Account  
Forward

151	1316	1245	1540
152	1316	1245	1540
153	1316	1245	1540
154	1316	1245	1540
155	1316	1245	1540
156	1316	1245	1540
157	1316	1245	1540
158	1316	1245	1540
159	1316	1245	1540
160	1316	1245	1540
161	1316	1245	1540
162	1316	1245	1540
163	1316	1245	1540
164	1316	1245	1540
165	1316	1245	1540

8829-3

1200 Your Account Stated to Date - If Error

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 3710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (817) 805-3535

Reg. No.	Clerk	Account Forward
1	15000-201-8190	
2	15000-201-8190	
3	15000-201-8190	
4	15000-201-8190	
5		
6		
7		
8		
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11		
12		
13		
14	8829-31	
15		

Print Your Account Number in Order to Order. Frank's Return Only

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (817) 805-4085

Address

Reg. No.

Clerk

Account  
Forward

1	400111	hmm	
2	140-411-411		
3			
4	Bc 66FO	2/24	
5			
6			
7			
8			
9			
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11			
12			
13			
14	8829-32		
15			

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

THANK YOU  
Call Again

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY, INC.  
1710 WEST 4TH STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL (917) 865-1035

Address

Reg. No.	Clerk	Account Forward	
1	BCK BAB	04	
2	Rev 104	01	
3	Rev 102	30	
4			
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14			
15			

8829-33

Your Account Stated to Date - If Error Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C6  
 BROOKLYN, NY 11223  
 TEL (817) 805-4895

Address

Reg. No.	Clerk	Account Forward
1	J. ADAMS	30
2	W. J. GORDON	30
3	S. GORDON	30
4		
5		
6		
7		
8		
9		
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12		
13		
14		
15		

8829-34

1200 Your Account Stated to Date - If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL. (917) 805-4695

Address

Reg. No.

Clerk

Account  
Forward

1	1266	LOW	1266		
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14	8829-35				
15					

1200 Your Account Stated to Date - If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (817) 805-4695

CV-9929

Address WATERGATE

Reg. No.	Clerk	Account Forward
1	RTB 66 VOW	84
2	RTB 66 BIA	21
3	VOLO 60 P3	15
4	RTB 66 2A DD	075
5	RTB 66 2A DD	82
6	RTB 66 2A DD	817
7	RTB 66 2A DD	242
8		
9		
10		
11	BALANCE	
12		
13		
14	8829-36	
15		

1200 Your Account Stated to Date. If Error is Found, Notify at Once.

Trade Secret/Commercially Sensitive

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL. (917) 805-4635

Address

01-2270

Reg. No.

Clerk

Account  
Forward

1	10010000	W.P.E.	
2	10010000	W.P.E.	
3	10010000	W.P.E.	
4	10010000	W.P.E.	
5	10010000	W.P.E.	
6	10010000	W.P.E.	
7	10010000	W.P.E.	
8			
9			
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11			
12			
13			
14	8829-37		
15			

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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 805-4695

Address 620 11th St

Reg. No.	Clerk	Account Forward
1	12-16-1000 15.00	
2	12-16-1000 30.00	
3	12-16-1000 60.00	
4	12-16-1000 15.00	
5		
6		
7		
8	12-16-1000 15.00	
9		
10		
11	PAID	
12	12-16-1000 15.00	
13	12-16-1000 15.00	
14	8829-38	

1100 Your Account Stated to Date. If Error is Found, Return to Office.

Trade Secret/Commercially Sensitive

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

**A & R CORP.**  
**FOUR SEASONS DAIRY, INC.**  
 1710 WOODROW ST., SUITE C5  
 BROOKLYN, N.Y. 11223  
 M TEL (917) 805-4695

Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward	
1	DUINA	1/25	[REDACTED]
2	BLANKIN	1/2	[REDACTED]
3	WALTON	1/1	[REDACTED]
4	BLANKIN	1/65	[REDACTED]
5			
6			[REDACTED]
7			[REDACTED]
8			
9	120600	15	[REDACTED]
10			[REDACTED]
11			
12			[REDACTED]
13			[REDACTED]
14	8829-3		[REDACTED]
15			

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE G5  
 BROOKLYN, NY 11223  
 M. TEL (917) 895-4895

Address

Reg. No.

Clerk

Account  
Forward

1	100	84	
2	100	84	
3	100	84	
4			
5			
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15			
16			

8829-40

1200 Your Account Stated to Date - If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

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hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

M TEL (917) 808-4895

Address:

Reg. No.	Clerk	Account Forward
1	BONNIE BARRIS	
2	STINE MIRIAM	
3	STINE PERIN 681	
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14	8829-41	
15		

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 805-4695

Address

Reg. No.	Clerk	Account Forward	
1	BQ/KA DUCH	1170	
2	BQ/KA BAR	1230	
3	DOID - KEY		
5	BQ/KA DUCH	30	
6	BQ/KA DUCH	27	
7	SULLIVAN	1087	
8	SULLIVAN	643	
9			
10			
11			
12			
13			
14			
15			

8829-42

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
M TEL (917) 805-4695

Address:

Reg. No. Clerk Account Forward

1	BR 6670	342		
2	BR 6670	2430		
3	BR 6670	126		
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14	8829-43			
15				

1200 Your Account Stated to Date - If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 805-4895

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Reg. No.

Clerk

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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL 1917/805-4695

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**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET SUITE C5  
 BROOKLYN, NY 11223  
 TEL: (718) 805-4695

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Trade Secret/Commercially Sensitive

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 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
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**OUR SEASONS DAIRY, INC.**

710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

M TEL (917) 805-4695

Address

Reg. No.

Clerk

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3	LOW	3/7
4	HAT AN	3/7
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Trade Secret/Commercially Sensitive



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 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (917) 805-4695

Address

Reg. No.

Clerk

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

Call Again

THANK YOU

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M. TEL. (917) 806-4895

Address

Reg. No.

Clerk

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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE 05  
 BROOKLYN, NY 11223  
 TEL (817) 805-4695

Address

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Trade Secret/Commercially Sensitive

Trade Secret/Commercially Sensitive

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W. STAD

KATBUR

RELUCA

VICTORIA

W. D. B. K.

MILLERS

NATTO

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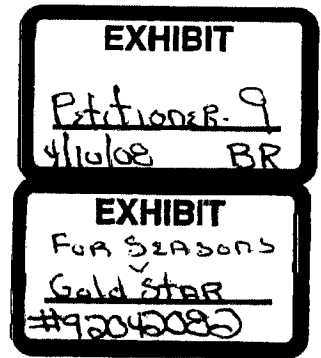
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Trade Secret/Commercially Sensitive

# **PETITIONER'S EXHIBIT 9**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

**UNSURPASSED MEAT INC.**  
**DBA MILLER'S FINEST MEATS**  
**1914 KINGS HWY,**  
**BROOKLYN, NY 11229**  
**TEL. (718) 336-8100**



*May 16, 2003*

To Whom It May Concern,

Please be advised that UNSURPASSED MEAT INC., DBA MILLER'S FINEST MEATS has been buying butter blend product from FOUR SEASONS DAIRY INC., 2402 65<sup>th</sup> St., Suite B3, Brooklyn NY 11204, under the BABUSHKINO (GRANDMATHERS) brand, since December 1997, under the A&O CORPORATION, and beginning in January 1999, under FOUR SEASONS DAIRY INC.

UNSURPASSED MEAT INC., DBA MILLER'S FINEST has been purchasing this item from FOUR SEASONS DAIRY INC., on a weekly basis.

Sincerely,

*Leon Sheikh / SHEIKHET /*

Lion

President

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 2,479,287  
Issued on August 21, 2001

FOUR SEASONS DAIRY, INC.,

Petitioner,

- against -

INTERNATIONAL GOLD STAR  
TRADING CORP.,

Registrant

Cancellation No.: 92042082

Mark: BABUSHKA'S RECIPE

Reg. No. 2,479,287

Filed: December 7, 1999

Issued: August 21, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451 on the date shown

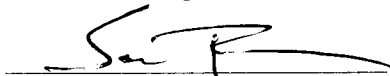
below:

April 16, 2010

(Date)

Samuel Friedman

Name of Representative



Signature

April 16, 2010

Date of Signature

**PETITIONER'S NOTICE OF FILING TESTIMONIAL DEPOSITION OF  
SOFYA SHEYDVASSER OF APRIL 17, 2008 AND RELATED REDACTED EXHIBITS**

Petitioner, Four Seasons Dairy, Inc., pursuant to 37 C.F.R. §§ 2.123 and 2.125, gives notice of filing of the certified transcript of the testimonial deposition of Sofya Sheydvasser, taken on April 17, 2008, , together with the accompanying redacted exhibits, namely Petitioner's Trial Exhibits Nos. 1, 3 and 11; and Respondent's Trial Exhibits Nos. 3 and 4.



True copies of the transcript and exhibits were previously served on counsel for Registrant on May 16, 2008.

Dated: April 16, 2010  
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sam Friedman', written over a horizontal line.

Samuel Friedman, Esq.  
225 Broadway, Suite 1804  
New York, New York 10007  
Tel: (212) 267-2900  
Attorney for Petitioner  
FOUR SEASONS DAIRY, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on the date set forth below, a true and correct copy of the foregoing Petitioner's Notice of Filing Testimonial Deposition of Sofya Sheydvaser in Cancellation Proceeding No. 92042082 entitled Four Seasons Dairy, Inc. v. International Gold Star Trading Corp., was, pursuant to stipulation served by email on counsel for Registrant, addressed as follows:

Roger S. Thompson  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue  
New York, New York 10176  
Email: rthompson@cplplaw.com.

  
\_\_\_\_\_  
Samuel Friedman

April 16, 2010  
Date

ORIGINAL

1

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----x

IN THE MATTER OF REGISTRATION NO. 24,79,287  
ISSUED ON AUGUST 21, 2001

-----x

FOUR SEASONS DAIRY, INC.,

Petitioner

-against-

Cancellation No.  
92042082

INTERNATIONAL GOLD STAR TRADING CORP.,

Registrant

-----x

DEPOSITION OF SOFYA SHEYDVASSER

April 17, 2008

Brooklyn, New York 11021

Reported by:  
Nikki Montello

**TOBY FELDMAN**  
INCORPORATED

NATIONWIDE SERVICES FOR LEGAL PROFESSIONALS  
court reporting . videoconferencing . video . translations . tape transcriptions . scanning

April 17, 2008

11:52 a.m.

Deposition of Sofya Sheydvasser,  
pursuant to Notice, taken by Petitioner and  
Registrant, held at the offices of Alliance  
Court Reporting, 189 Montague Street, Suite  
503, Brooklyn, New York 11201, at the above  
place and time, before a Notary Public within  
and for the State of New York.

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## A P P E A R A N C E S:

SAMUEL FRIEDMAN, ESQ.,  
Attorney for Petitioner  
225 Broadway, Suite 1804  
New York, New York 10007

COHEN PONTANI LIEBERMAN & PAVANE, LLP  
Attorneys for Registrant  
551 Fifth Avenue  
New York, New York 10176

BY: ROGER S. THOMPSON, ESQ.,

## ALSO PRESENT:

GALINA PINCOW, President  
International Gold Star Trading Corporation

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## S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by  
and between the attorneys for the respective  
parties hereto that filing sealing and  
certification be and the same hereby waived.

IT IS FURTHER STIPULATED AND AGREED  
that all objections, except as to the form of  
the question, be reserved to the time of the  
trial.

IT IS FURTHER STIPULATED AND AGREED  
that the within examination may be signed and  
sworn to before any Notary Public with the  
same force and effect as though signed and  
sworn to before this Court.

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Sheydvasser

S O F Y A   S H E Y D V A S S E R,

having stated her address as 223 Milton  
Avenue, Staten Island, New York 10306,  
was sworn by the Notary Public, Nikki  
Montello, was examined and testified as  
follows:

MR. THOMPSON: Same stipulations?

MR. FRIEDMAN: Counsel have  
conferred and have agreed on some  
stipulations: That Counsel for  
Petitioner may retain possession of any  
original deposition exhibits. That all  
objections except as to the form of the  
question are reserved until the time of  
trial, and that the transcript may be  
sworn before any Notary.

EXAMINATION BY MR. FRIEDMAN:

Q. Good day. My name is Samuel  
Friedman. I am the lawyer for Four Seasons  
Dairy.

During this deposition I will be  
asking you a few questions. The court  
reporter, to my right, will be taking down  
everything that I say and everything that you

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Sheydvasser

say. So it is important that you wait until the question is finished before answering. And that when you answer, that it be an audible answer because the court reporter cannot take down a nod of the head.

A. Okay.

Q. And if you do not understand a question, you should just say that you don't understand and I will try to --

A. Mr. Friedman, you speak very slow because my English is not too good.

Very slow, okay?

Q. I will speak very slowly. Okay.  
Your first name is Sofi, S-O-F-I?

A. (Nodded head.)

Q. But you --

MR. THOMPSON: Can I please have her articulate her answer? She was nodding her head, but she didn't articulate a "yes."

Q. Your first name is Sofi?

A. Yes. I have the passport with me. I can give you the passport.

MR. THOMPSON: It is up to you.

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Sheydvasser

(Handing)

Q. I see that here it is -- the Sofi  
is spelled S-O-F-Y-A?

A. Yes.

Q. Is that the official spelling?

A. Yes, yes.

Q. Okay. And you are known by the  
name Sonia, as well?

A. Yes. Sure. Everybody say.

MR. FRIEDMAN: Okay.

I am just showing a copy of the  
passport to Mr. Thompson.

MR. THOMPSON: It is actually the  
original passport.

MR. FRIEDMAN: I'm sorry, the  
original passport. Exactly.

BY MR. FRIEDMAN:

Q. Now, you are the owner of a  
store?

A. Yes.

Q. What is the name of the store?

A. Matreshka, M-A-T-R-E-S-H-K-A

Q. And where is that store located?

A. 8022 20th Avenue.

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Sheydvasser

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Q. 8-0-2-2?

A. 20th Avenue.

Q. Is that in Brooklyn?

A. Brooklyn, New York 11214.

Q. How long have you owned this  
store?

A. 20 years. In April will be 20  
years.

Q. So since April of 1988 --

A. Yes.

Q. -- is that right?

A. Yes.

Q. Okay.

And what kind of things are sold  
in this store?

A. This is grocery store. I sell --  
I sell bread, I sell milk, I sell all kind of  
the milk product. I sell juice, cookies,  
meat, like sausage, like, in -- like, Kasha,  
oatmeal, I don't know. Everything.

Q. And from April of 1988 until now,  
have you always worked in the store?

A. Always.

Q. Okay.

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Sheydvasser

A. Without a vacation.

Q. And what -- could you name some of the things that you must do as the owner of this store?

A. What I must to do?

Q. Yes.

A. In the morning I open the store and I make an order, order for some, something for what I need in the store, every morning. I have a company who give me the milk. Every second day this one company for long, long time they make a delivery every second day, milk. All the time in the morning they take the bread. All the time, like, twice a week, I take it the, like a smoked fish. And every day I take it some sausage or salami or butter or I work with, I don't know, what I think what I need in the store, I make an order.

Q. Have you ever brought things from Alex Bekker and Oleg Kesler?

A. Yes.

Q. What kinds of things do you buy from Alex Bekker and Oleg Kesler?

A. Milk product like butter. Like

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every time? Or like now?

Q. Well, let's --

A. Milk product.

Q. We will have to break it down.

A. Um-hum.

Q. Do you remember around when it was that you started buying things from Alex Bekker and Oleg Kesler?

A. Yes. I think it was maybe, maybe ten years ago, '97. I think it is '97. You know, I remember because they sell the milk product and before they have Friendly Food store. And the location of the Friendly Food store was, I don't know exactly the mail address but this is one, two, three, four, like a five blocks from my store. It was Friendly Food.

Q. Friendly Food, is that the name of the store?

A. They make -- they were before, yes. This Alex and Oleg.

Q. And at the time that they had the Friendly Food store, were they selling things to you at Matreshka?

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A. Yes.

Q. At that time, what kinds of things were they selling to you at Matreshka?

A. You know, they sell the butter, the butter, Grandma butter and other kind of butter. I don't know, what is the -- Grandma butter, Basania.

THE COURT REPORTER: What was that?

A. It is name of the butter. Two Cows.

Q. Is that Two Cows?

A. Yes, Two Cows and Grandma. And it was in the -- in the foil, foil paper.

MR. FRIEDMAN: I am going to show the witness a document previously marked as Petitioner's Exhibit 1 at a deposition of April 10, 2008.

Q. If you could please take a look at that?

Do you recognize what you are looking at?

A. Yes.

Q. What is it?

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A. This is Babushkino butter,  
Grandma butter.

Q. Does Babushkino mean something in  
English?

A. Grandma.

Q. So when you refer to  
Grandmother's butter, is this the product that  
you were referring to?

A. Yes.

Q. We are looking at a label.  
Does the label look now pretty  
much like it did back when you started buying  
it from Alex and Oleg?

MR. THOMPSON: Objection. Vague.

Q. I will rephrase that question.  
Mr. Thompson thinks that it is  
not clear.

Does this label that you are  
looking at look more or less like the label on  
the product that you were buying from Alex  
Bekker and Oleg Kesler back ten years ago?

MR. THOMPSON: Same objection.

A. You know, you know, sometimes  
this was round and sometimes this was square.

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And I, I, I not remember, Babushkino or  
Grandma. I not remember. Babushkino, like  
this.

Q. Babushkino, like this.

A. Yes.

Q. This is what it was called,  
Babushkino?

MR. THOMPSON: For the record,  
the witness was pointing to the top  
half of the piece of paper marked as  
Exhibit 1 --

MR. FRIEDMAN: Correct.

MR. THOMPSON: -- when she  
referred to this. That is the this to  
which she referred to.

MR. FRIEDMAN: Yes. She was  
specifically pointing to the top half  
of the paper and to the lettering in  
Cyrillic.

A. This is exactly was Babushkino.  
But I think it was English letter or it was  
maybe English and Russian and only English or  
only Russian, I think. This was Babushkino.

Q. How often did you receive

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products from Alex Bekker and Oleg Kesler?

A. You know, from the -- from starting to sell the butter, I, all the time, buy the butter from Alex and Oleg company.

Q. Okay. Back when they had this store called Friendly Food store, do you know whether Alex and Oleg, did they have a company with a company name?

A. Yes. This was before Four Season. It was, just a second, A&O, A&O, I think, O&A or A&O Dairy Product or...

Q. You said this was before they became Four Seasons?

A. Yes, sure.

Q. So --

A. It is not was a long time A&O, maybe two years, maybe, I think. And after they make a company, it was Four Seasons. It is now Four Seasons.

Q. And during all of this time, did Alex Bekker and Oleg Kesler continue selling dairy products to you under the brand name Babushkino?

A. Yes.

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Q. Now, how did you receive the product? How did they bring it to your store?

A. If I needed this product?

Q. Yes.

A. I called for the -- for the Alex or Oleg and I ask, I need one case butter, for example. Okay. And they give me a receipt. They give like the invoice and I, I take this butter. And the invoice has the price and, you know, if they're soon starting they make like, they make advertising, they make like a samples. They come in, they make a samples, try. And after they make it, I make an order and they make a delivery.

Q. Okay. Now, I am showing you something that was marked before as Petitioner's Exhibit 3 during a deposition of April 10, 2008.

If you could look at it, look through it.

(Handing)

Q. What you are looking at, does it look familiar to you? And I am going to ask that you --

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1 Sheydvasser

2 MR. THOMPSON: Well, you just  
3 asked her a question, if it looks  
4 familiar. Can we have an answer to  
5 that?

6 MR. FRIEDMAN: Yes.

7 A. There is my name. This my  
8 invoice. This my balance. This my  
9 everything.

10 MR. FRIEDMAN: The witness is  
11 referring to Petitioner's Exhibit 3  
12 with the bottom number on the page  
13 being 8829-9.

14 A. Yes.

15 Q. Okay. And you are saying --

16 MR. FRIEDMAN: If you could  
17 give the lawyers a minute to turn to  
18 that as well.

19 Q. Now, you --

20 MR. THOMPSON: I'm sorry. Which  
21 page did you say this was?

22 THE WITNESS: 8829-9.

23 MR. FRIEDMAN: It is Bates stamp  
24 No. P0031.

25 Q. Before we interrupted you, you

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were looking at this page and you said that  
you do recognize this?

A. This my invoice, yes. This has  
my name. This is name of the store.

Q. When you say this is my name, you  
are referring to the address line?

A. Matreshka, this is the name of  
the store.

Q. Is this in Russian?

A. This is -- yes, this is Russian.

Q. And do you see a date on this?

A. I think December 16, '99, or what  
is -- I don't know.

Q. 01?

A. 01-16-99.

MR. THOMPSON: I object to the  
form. You were telling her what was on  
there rather than asking her what was  
on there.

MR. FRIEDMAN: Your objection is  
noted.

Q. Now, does this reflect an order  
that you actually received at your store, this  
invoice?

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A. This is what I -- what I ordered.

Q. Now, does this include the  
product Babushkino?

A. Yes.

Q. And how do you know that?

A. I saw the four, four, line four,  
butter Babushkino.

Q. Do you recognize the handwriting  
on this piece of paper?

A. I know this, how this write. I  
know, I know this.

Q. Whose handwriting is it?

A. I think this is Alex.

Q. Referring to Alex Bekker?

A. Yes.

Q. What was his custom and practice  
with giving you invoices when he --

A. Yes.

Q. Did he give you a copy of what  
you see --

A. Sure.

Q. -- in this book?

A. Sure.

Q. Did you, in turn, pay him for

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that?

A. Yes.

Q. So do the numbers on this piece of paper reflect the amount that you had to pay?

A. Yes.

Q. I would like to refer you in this book to a few pages down, ending in the No. 15. Does this reflect --

A. Yes.

Q. -- an invoice to your store?

A. I think, yes. Matreshka -- yes, if this is not big invoice, it doesn't matter. Because if I sell I can make an order for two cases. Understand?

Q. Yes. I am going to direct your attention to the bottom --

A. They can, they can write only M-T-R, Matreshka, like M-T-R. If you have the paper like, not the whole, whole name -- oh, you see over there, Matreshka, this is my name. If some time he write MTR, this is also me, Matreshka.

MR. FRIEDMAN: Now, the witness

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2 is referring to the page with the  
3 bottom No. 21.

4 Q. Okay. So this reflects another  
5 purchase by your store from Four Seasons?

6 A. Yes.

7 Q. And what do you buy here?

8 A. Yogurt, cheese, I think. Yes.  
9 yogurt, cheese.

10 Q. I am referring you to the next --  
11 the next page. I would like you to look at  
12 the numbers 27 at the bottom?

13 A. Yes.

14 Q. Is this an invoice to your store?

15 A. Yes. And you see the 309 for the  
16 balance, this is before.

17 Q. Yes, I see.

18 A. 39, 39, this is balance and this  
19 is my order. And together will be 5, 551.  
20 Yes, this is mine.

21 Q. Does this invoice reflect a  
22 delivery of Babushkino butter to your store?

23 A. Not only butter, Babushkino  
24 butter, Brinza, Baby Brinza, Bolgalone Brinza,  
25 Babushkino and Welagutzkia (ph), yes.

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Q. Again, if you look at the bottom page, the number 36 at the end?

A. It is also me. And you see the balance of 551, before it was 551, the page, what the page was before.

Q. I see. How long did you carry that balance? Can you tell?

A. No, I paid two balance. If I pay two invoice together or I can pay, I pay all the time by check. And if I pay, if you make the next delivery. Because next time you doesn't see the balance.

Q. Now, were all of these deliveries made in the same month?

A. 01 -- yes. Sometimes I buy once a week. And sometimes I buy twice a week. If I need something, not the whole order, like the feta cheese, two cases, they make an order. They make a delivery for two cases because the store, it is not big. I don't have enough of room make, make, buy two, three cases the same.

Q. And do you continue to this day to buy Babushkino --

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A. Yes.

Q. -- dairy products --

A. Yes.

Q. -- from Four Seasons?

A. Yes, all the time I work with these people.

Q. Did there come a time that Alex and Oleg Kesler came to you and asked you to sign a letter?

A. They come in and ask, are you a member for a long time you buy the Babushkino butter? I say, yes. And they -- they say, can I make decision to sign letter? I say, I -- my English is not too good. What I need to write? I buy all the product from you. Maybe you make the letter and I check, and I sign. I don't know what is this?

And next time they come in and give me the letter and I say, okay. Give me this letter. I check everything. And you come in next delivery and I make a decision what I need to do with this letter. And the letter was I am the -- I am the, like A&O Corporation. And next time they make a

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delivery and I know what is the letter and I read this one and I make a sign because I work with these people.

MR. FRIEDMAN: I am going to show the witness a document previously marked as Petitioner's Exhibit 11 during a deposition of April 10, 2008.

Q. I ask you to look at that.

A. Yes.

Q. Can you identify that, what you are looking at?

A. Yes. This is letter from me for my store. And the letter is the Four Season and their location. Saying about sell me, sell me Babushkino, Babushkino butter from A&O Corporation beginning from January '99. And now it is Four Seasons and this is my sign.

Q. That is your signature at the bottom?

A. Yes, yes.

Q. Does this appear to be a true copy of the letter that you signed for Alex and Oleg?

A. It was everything the same.

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2 MR. FRIEDMAN: I am moving  
3 Petitioner's Exhibit 11 into evidence.  
4 And I have no further questions.

5 Thank you.

6 MR. THOMPSON: I will preserve my  
7 objection to that.

8 (Petitioner's Exhibit 11, marked  
9 in evidence, as of this date.)

10 MR. THOMPSON: I would like to  
11 get a minute to put my questions  
12 together before we jump right in, if  
13 you don't mind?

14 MR. FRIEDMAN: Sure.

15 MR. THOMPSON: We will take a  
16 brief break and I will come and ask you  
17 some questions in a moment.

18 (Recess taken.)

19 EXAMINATION BY MR. THOMPSON:

20 Q. Ms. Sheydvasser, you had  
21 mentioned a square label for the Babushkino  
22 product. Do you remember that?

23 A. You know, if the butter was in  
24 the square Armenian paper, Armenian paper, it  
25 was like square and inside was like this, you

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know, I think so.

MR. FRIEDMAN: When you say "like this" you are pointing to Petitioner's Exhibit 1?

THE WITNESS: Yes.

You know, if this was in the plastic, in the plastic container, in the plastic, it was like this.

MR. FRIEDMAN: Referring to Petitioner's Exhibit 1.

THE WITNESS: On the top, you see on the top was like this, and on this, on this side was like this. If this make it in the square, like a square. It was like a square.

Q. Can you describe what was inside the square label?

A. Babushkino, Babushkino.

Q. Just the word Babushkino or what else?

A. You know, sir, I not remember what was the -- what was in the square or Babushkino square, I not remember. But on the top was everything like this.

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1 Sheyvasser

2 MR. FRIEDMAN: Referring again to

3 Petitioner's No. 1.

4 Q. With respect to this square  
5 label, you had said I think that there were  
6 English words in it as well?

7 A. (Nodded)

8 Q. Is that accurate?

9 A. Explain me, what you ask me? If  
10 this was square?

11 Q. Okay. I am asking now only about  
12 the square label that you mentioned earlier.  
13 Okay?

14 A. The square label was in the -- in  
15 the -- if this -- if this butter was not in  
16 the plastic or in the paper, in the paper,  
17 Armenian paper, it was like, like this, the  
18 square, and it was in this one, if this one  
19 was like this.

20 MR. FRIEDMAN: The witness was  
21 holding Petitioner's Exhibit 3 --

22 THE WITNESS: No. You know,  
23 sir, this is Babushkino. This is  
24 square in Armenian paper like  
25 margarine. It is not was like a

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butter.

Q. Right now I am only asking you about the square Babushkino label that you remember. I am just going to ask you to think about that for a moment.

Do you remember if it had English lettering and Russian lettering, Cyrillic lettering?

A. I am not recollect what the letter was.

Q. But you remember that the letters said Babushkino?

A. Babushkino.

Q. Do you remember if it said Babushkino or Babushka?

A. No, this was Babushkino.

Q. Do you remember if there were any pictures in the label?

A. I think this was everything, every time was like, like this.

Q. Now, again, you're referring to Exhibit 1, is that correct?

A. In what?

Q. The paper you're referring to is

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1 Sheydvasser

2 Exhibit 1, is that correct?

3 A. I think of the top it was like a  
4 Babushkino, like this.

5 MR. FRIEDMAN: The witness has  
6 Exhibit 1 in front of her and is  
7 pointing to that.

8 MR. THOMPSON: And is pointing to  
9 that. Okay.

10 Q. I will show you something which I  
11 will have marked later and just ask you to  
12 look at this label.

13 Does that look like what you saw  
14 there?

15 A. You know, I never saw this one  
16 because I work with Jersey company and I buy  
17 only Friendship. I buy from all the time from  
18 the Jersey one, Friendship -- Friendship  
19 butter and -- not butter, farmer cheese. I  
20 never buy this label. And I never buy farmer  
21 cheese like this.

22 MR. FRIEDMAN: I would ask that  
23 the document that is now being shown to  
24 the witness be marked for  
25 identification.

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MR. THOMPSON: I think we are up to Respondent 3. I will have it marked as 3.

Since you're asking that it be marked, do you want the whole document marked or just that page?

MR. FRIEDMAN: Can I have a minute to look at it? I have never seen this before.

MR. THOMPSON: Sure.

(Pause)

MR. FRIEDMAN: Was this produced in discovery?

MR. THOMPSON: At this point, I couldn't tell you off the top of my head.

MR. FRIEDMAN: Let me just ask you, during the questioning, you were pointing to this item?

MR. THOMPSON: The number that is -- I can't read from there. It is 41501.

MR. FRIEDMAN: On the bottom right it says page 31.

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2 (Pause)

3 MR. FRIEDMAN: Well, it would  
4 appear to me that the entire thing  
5 should be marked.

6 MR. THOMPSON: That is fine. We  
7 will have it so marked. I will ask the  
8 reporter to so mark it.

9 (Respondent's Exhibit 3, label,  
10 marked for identification, as of  
11 this date.)

12 MR. THOMPSON: I will also ask  
13 you to mark this one.

14 (Respondent's Exhibit 4,  
15 marked for identification, as of  
16 this date.)

17 MR. FRIEDMAN: I was just looking  
18 for a date.

19 MR. THOMPSON: I will tell you  
20 that I don't know that there is a date  
21 There is no date.

22 Q. I am going to ask you to look at  
23 pages 20 and 21 of Respondent's Exhibit 4. I  
24 will point you to on page 20, in the lower  
25 right-hand corner of page 20, there is a

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product with the number 42025, which is identified as a Havarti yogurt cheese. I will ask if that label looks familiar to you?

A. (Witness shaking head.)

Q. I must ask you to --

A. No, I doesn't remember this label. No.

Q. And on page 21, a product with the number 48001, which also has a square label on it?

A. No.

Q. Neither one of those labels --

A. No.

Q. -- looks familiar to you?

A. No. No. This is not label that I know. No. And this is not. This is no.

Q. Okay. Have you ever bought products from International Gold Star Trading Corporation?

A. Yes, I bought before.

Q. Do you work with them now?

A. No.

Q. Why did you stop?

A. I doesn't work with the Gold

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Star. I work with --

Q. Could you spell that?

A. The Dozorva was owner of the business, Dozorva, I work with.

THE COURT REPORTER: Could you spell that?

A. D-O-Z-O-R-V-A, I think so. And I work with him. I buy from the Gold Star only fish, smoked fish, smoked fish I buy. I buy, I buy herring from Gold Star. Herring and fish because the -- no sausage. I not buy from the Gold Star. And I work -- after Gold Star I work with Royal Baltic, Royal Baltic. I work with Gold Star only buy fish.

Q. When did you buy from them?

A. What?

Q. When did you buy from International Gold Star?

A. When?

Q. Yes.

A. Maybe, maybe, just a second. I don't know exactly the year. Maybe, maybe ten years I doesn't work with the Gold Star.

MR. FRIEDMAN: I am just going to

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Sheydvasser

note my objection to this entire line  
of questioning as exceeding the scope  
of direct.

Q. So you think you stopped working  
with Gold Star around ten years ago, is that  
what you said?

A. You know, I work with everybody.  
I work with the Gold Star. I work before with  
Royal Baltic. I work with the Gold -- Gold,  
Gold Fish and Gold caviar and now after I make  
a decision I work, I buy the Gold -- I buy the  
fish from Kifer, the Kifer, the company Kifer.  
I buy fish from the Vilatar Company and the  
Gold Fish Company. You know, I not work with  
the Gold Star, I don't know.

Q. But my question was you stopped  
working with them about ten years ago, is that  
what you said?

A. Maybe, maybe more like ten years,  
maybe more like ten years.

Q. You mean more than ten years?

A. Yes. Maybe, 12, maybe, maybe --  
I work with the Gold Star not a long time, not  
a long time.

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1  
2 Q. Do you remember why you stopped  
3 dealing with Gold Star?

4 A. If -- maybe somebody give another  
5 price. Maybe somebody give another, another  
6 quality. You know, like, I buy all the time  
7 the -- like, for example, mackerel. I buy  
8 Vilatar, Vilatar Company. And so this is, I  
9 doesn't like this fish. And I buy from the  
10 Royal Baltic or like the Kifer. You know, why  
11 I stop work with the Gold Star, oh, this is a  
12 long time.

13 Q. Do you remember having any  
14 personal arguments with anyone at Gold Star?

15 A. Arguments for why I stop it?

16 Q. Yes.

17 A. Why I stop it? I stop it to work  
18 maybe in one time open the Gold Star, Gold  
19 Chocolate from this time. Why? I explain. I  
20 think maybe I finish working the store, I have  
21 the, I have the -- I want to go to work to the  
22 Gold Chocolate. And I remember in this, in  
23 this time, I stop it to work.

24 Q. Okay. I am trying to understand  
25 what you were saying. You started to work

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with Gold Star Chocolate, is that what you were saying?

A. Yes. I think maybe I finish with the store and I go to the Gold Chocolate work. And Dozorva say, okay, maybe you go to the Gold Chocolate starting to work. I said no, sir, I doesn't want to go to the Gold Star, make a chocolate. I am engineer for the chocolate production. I finish the university for food in Russia. I think in Brooklyn I have only one employ for the chocolate candy and they say, boy, I very -- I very upset. Why you not go to work for the chocolate, to the chocolate? I feel not -- I was not ready to work, to go to the chocolate. But all my candy, the Cinderella, the Solishka (ph), the Strella (ph), this is my candy. I make it by myself. This is my candy. I make it by myself.

Q. Okay. Now, I just had a bit of a hard time following you. So if you will excuse me, I want to take you through what I understood you to just say and I want you to stop me if I am incorrect.

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This is what I understood --

A. Yes.

Q. -- you are originally from  
Russia --

A. Yes.

Q. -- am I correct?

A. Yes.

Q. You got a degree in Russia,  
right?

A. Yes.

Q. And that degree was in food  
manufacturing?

A. Yes.

Q. And specifically, was that in  
making chocolate?

A. Yes.

Q. Could you describe a little bit  
about what your degree was for? I didn't  
understand what your training was?

A. If I were -- if I make the  
chocolate candy, I, I think maybe I can make  
more like, maybe I can work by myself and I go  
to -- I know that Dozorva open the chocolate  
production and I come in like, like a visit

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and I say, you know, I have diploma. I work,  
I know this job. And we don't have it, the --  
we can make it the -- we can make it green and  
go to the Gold Star working. And I say, no, I  
doesn't want to work with Gold Star.

Q. Okay. Now --

A. This is my, my, my opinion by  
myself, you know. This is my job. This is,  
this is everything what I can do. And I have,  
you know, and I have factory experience. And  
I say, okay, I doesn't go to the chocolate. I  
not going.

Q. Now --

MR. FRIEDMAN: Again, I would  
like to note my continuing objection to  
this line of questioning as being  
irrelevant and exceeding the scope of  
the direct examination.

MR. THOMPSON: I disagree.

Q. Now, as I understand what you are  
saying, you had spoken to Mr. --

MS. PINCOW: Dozorva.

Q. Dozorva.

MR. FRIEDMAN: Please ask your

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2 client to not speak during the  
3 deposition.

4 MR. THOMPSON: I believe that is  
5 the first word that she said.

6 MR. FRIEDMAN: I don't agree with  
7 that.

8 Q. Mr. Dozorva, is that correct?  
9 From Gold Star chocolate company, is that  
10 correct?

11 A. He was in the Gold Star and I  
12 know the chocolate it will be his child, like,  
13 you know, I think this will be one company.

14 Q. So what you are saying is you  
15 spoke to Mr. Dozorva as working with a Gold  
16 Star Trading Corporation?

17 A. Um-hum.

18 Q. He was starting a chocolate  
19 business --

20 A. Yes, I will.

21 Q. -- is that correct?

22 A. I, I think maybe I can work with  
23 Dozorva and make a chocolate production like a  
24 factory.

25 Q. Are you through? I didn't want

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to interrupt if you had something else to say.

A. Maybe I am not understanding

Q. Okay. Did you finish?

A. I come into the Dozorva and I say, you know, I forgot the name of Dozorva, I am the engineer. And I can make a professional chocolate candy. And he said, for example, I have another decision. I don't need work with you. And I say you don't need to work with me. I don't want to work with you.

Q. Okay. When did you approach Mr. Dozorva?

A. What?

Q. When did you approach Mr. Dozorva?

A. When what?

Q. You said you approached him, when did you do that?

A. I not remember in what time it was. I don't remember in what time it was.

Q. Was it before you started Matreshka or after you started Matreshka?

A. No. I work in Matreshka. I work

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in Matreshka. And I make chocolate by myself.  
I have a license by make a chocolate candy and  
I make chocolate candy by myself and I have  
kashrut to make chocolate candy and I sell  
this candy by myself.

Q. So I have a number of questions.

First, do you own Matreshka now?

A. Yes.

Q. Did you say when you started at  
Matreshka you didn't own it then? Is that  
what you said just now or did I misunderstand  
you? You said you were working at Matreshka?

A. Yes. Before Matreshka I open the  
business, not in the same area, from the 80  
Street, 86 Street, in Brighton Beach. I take  
it, rent in the corner, a small, small room  
and I need to make chocolate candy by myself.  
You know. And my, I make chocolate candy by  
hand, like Plumson chocolate and I go to the  
Bowery and I buy all equipment for the  
chocolate candy. I make, like, raisin in  
chocolate. Like Streva, like, everything. I  
make chocolate candy maybe, maybe three, four,  
five years, only candy. I doesn't have the

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store.

And after everybody come in they get all stuff for the chocolate candy from Russia, starting to work, Kiev, starting to work, I don't know, Royal Smith, everybody start to work chocolate, make a chocolate candy. And I make a chocolate candy with the Kasha. I open the store and I sell the chocolate candy.

And after, I think I can't make by my hand all the time. It is not easy. It is not easy. And I started to make chocolate and starting to sell something, something this, something this, something this. It start, now this is the store. I not make candy.

Q. Again, I am trying to follow what you were saying. Before you started, again you started the store Matreshka, am I right?

A. Yes, yes.

Q. You have owned it for all the time --

A. Yes.

Q. -- am I correct?

A. Yes.

Q. Before you started Matreshka, you

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started to make chocolates by hand --

A. Yes.

Q. -- in Brighton Beach?

A. Not Brighton Beach, 20 Avenue and 81st Street. I all the time stay in the one room.

Q. Okay. I'm sorry.

A. It is okay.

Q. So you were selling out of that one room on 20th Avenue and 81st Street. Your business grew bigger?

A. Yes.

Q. And then you started to sell these also from a store you opened, Matreshka?

A. I stop it to make chocolate candy and I make, I take it one refrigerator, second refrigerator and I make it store.

Q. So your store developed because you had a business of selling chocolate --

A. Yes.

Q. -- and to expand your business --

A. Yes.

Q. -- you opened a store?

A. Yes.

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Q. And from that store --

A. Yes.

Q. -- Matreshka --

A. This is the same name, the same everything. Yes.

Q. And from Matreshka you have started selling chocolates, then you started selling other things to grow your business?

A. Yes, yes, sir.

Q. Now, at one point you said you approached Mr. Dozorva, am I correct?

A. Um-hum.

Q. Do you remember if that was before or after you opened up Matreshka?

A. I not remember. I not remember. You understand. It is not before. Because, no it is not before. I started -- this is Matreshka I make candy. I don't know in what time before I take the sausage or after I take the sausage. But I give the proposition for Dozorva. And...

Q. So you made a proposition to Mr. Dozorva to start for Gold Star a chocolate manufacturing --

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A. Yes.

Q. -- plant --

A. Yes.

Q. -- is that correct?

A. Yes. Yes.

Q. And Mr. Dozorva thought about it  
and then said no --

A. Yes.

Q. -- is that correct?

A. We will see for next time. We  
will see for next time. He not say me, no, I  
doesn't want to see you. No. He very  
correctly man. He said, we'll see. We will  
see for next time. We will see one year, two  
year, three year, four years. I buy  
everything from the Dozorva. I make a nice  
sale and nobody call me, Sonia, maybe you can  
make chocolate candy. No. No. No.

Q. So you approached Mr. Dozorva  
about opening this business and he said, we  
will talk about it later?

A. Not open -- I, I, yes. He said,  
okay, we spoke later. And I explain you, I  
wait one year, two year, three year, four

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year, I don't know how many year I wait.

Nobody, nobody make me the proposition, go to the Gold Star and work and make, and I stop it to work.

Q. And it was after this period of time --

A. I don't know, sir.

Q. That you stopped working -- stopped buying from Gold Star, is that correct?

A. Yes, yes.

Q. Do you know when Mr. Dozorva -- well, do you know if Mr. Dozorva is still at Gold Star?

A. (Witness shaking head.)

Q. You don't know?

THE COURT REPORTER: I need a verbal response.

Q. Could I just ask you to say that out loud?

MR. FRIEDMAN: If the answer is "I don't know," you have to just say that.

A. I don't know, I don't know.

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Q. You have to remember she has to  
type down whatever we say.

A. I not remember.

Q. You don't know --

A. I not remember. I not remember.  
No.

Q. Do you remember the last time,  
how many years ago it was since you stopped  
buying from Gold Star?

A. No, no, I not remember

Q. Do you know if it was more than  
ten years ago?

A. I not remember.

Q. Do you know if you have ever  
received any catalogs from Gold Star?

A. Received a catalog? I not  
remember.

Q. Do you remember if you ever  
received price lists or other advertising  
material from Gold Star?

A. It is -- it is so, so long time I  
not work with the Gold Star, I not remember.

MR. THOMPSON: I have no further  
questions.

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Sheydvasser

Thank you very much.

THE WITNESS: You're welcome.

Thank you very much. I am very  
sorry for my English.

And I so, so nervous because  
this was my life with the candy. Not  
for the Babushkino, not for the fish.

MR. THOMPSON: I just remembered  
one other thing I had to ask.

I apologize.

BY MR. THOMPSON:

Q. When you put together, signed  
that letter for Alex, did you look at any  
documents, any pieces of paper?

A. I say leave it me, this letter,  
and I saw what I need to do with this letter.  
Because I stay in the store by myself. And he  
leave the letter and I opened all my, the --  
all my -- all my memory and I say, yes, I  
work -- I never buy from somebody I still work  
with these people a long, long time.

Q. When you signed the letter, did  
you look at any pieces of paper to help you  
look for dates and things like that?

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1  
2 A. I don't have a document for the  
3 ten years, sir. But I remember, I worked with  
4 these people.

5 Q. Okay. So you didn't look at any  
6 documents at that time?

7 A. I have the documents maybe for  
8 two years for three years. But all the time I  
9 remember. I remember I worked only with these  
10 people.

11 I buy Four Seasons. I buy  
12 exactly Fresh Maid delivery from the Fresh  
13 Maid to the store. I buy Fresh Maid only for  
14 the Fresh Maid, and I buy Life -- Life Way.  
15 This is the milk product also. Three, three,  
16 four companies what I buy the milk product.

17 MR. THOMPSON: Okay.

18 I think that is it.

19 So I don't make that mistake  
20 again, let me have a second to look  
21 through that.

22 (Pause)

23 MR. THOMPSON: That will be it.

24 THE WITNESS: Thank you very  
25 much.

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MR. FRIEDMAN: No questions.

Thank you.

(Time noted: 1:00 p.m.)

SOFYA SHEYDVASSER

Subscribed and sworn to before me

this                      day of                      2008

Notary Public

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April 17, 2008

## I N D E X

WITNESS	EXAMINATION BY	PAGE
SOFYA SHEYDVASSER	MR. FRIEDMAN	5
	MR. THOMPSON	24

## E X H I B I T S

PETITIONER'S		FOR ID. IN EVID.
11	Document	24
RESPONDENT'S		FOR ID. IN EVID.
3	Label	30
4	Document	30

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## C E R T I F I C A T E

STATE OF NEW YORK       )  
                                  ) ss.:  
COUNTY OF NEW YORK     )

I, NIKKI MONTELLO, a Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify:

That I reported the proceedings in  
the within entitled matter, and that the  
within transcript is a true record of such  
proceedings.

I further certify that I am not  
related, by blood or marriage, to any of  
the parties in this matter and that I am  
in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 1st day of May,  
2008.

  
\_\_\_\_\_  
NIKKI MONTELLO

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E R R A T A      S H E E T

Page	Line	Change from	Change to	Reason
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Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008  
\_\_\_\_\_  
Notary Public

<p><b>A</b></p> <p><b>about</b> 23:15 26:11 27:4,6 33:18 36:19 44:7,21,22</p> <p><b>above</b> 2:12</p> <p><b>accurate</b> 26:8</p> <p><b>actually</b> 7:14 17:24</p> <p><b>address</b> 5:3 10:16 17:7</p> <p><b>advertising</b> 15:12 46:20</p> <p><b>after</b> 14:18 15:14 32:13 33:11 39:24 41:3,10 43:15,20 45:6</p> <p><b>again</b> 21:2 26:2 27:22 37:15 41:16 41:17 48:20</p> <p><b>against</b> 1:9</p> <p><b>ago</b> 10:11 12:22 33:6,18 46:9,13</p> <p><b>agree</b> 38:6</p> <p><b>agreed</b> 4:4,6,8 5:10</p> <p><b>Alex</b> 9:21,24 10:8 10:22 12:14,21 14:2,5,8,22 15:6 18:14,15 22:8 23:23 47:14</p> <p><b>Alliance</b> 2:10</p> <p><b>always</b> 8:23,24</p> <p><b>amount</b> 19:5</p> <p><b>another</b> 20:4 34:4,5 34:5 39:9</p> <p><b>answer</b> 6:4,5,19 16:4 45:22</p> <p><b>answering</b> 6:3</p> <p><b>anyone</b> 34:14</p> <p><b>apologize</b> 47:11</p> <p><b>APPEAL</b> 1:2</p> <p><b>appear</b> 23:22 30:4</p> <p><b>approach</b> 39:13,16</p> <p><b>approached</b> 39:19 43:12 44:20</p> <p><b>April</b> 1:15 2:4 8:8 8:10,22 11:19 15:19 23:8 50:2</p>	<p><b>area</b> 40:15</p> <p><b>arguments</b> 34:14 34:15</p> <p><b>Armenian</b> 24:24,24 26:17,24</p> <p><b>around</b> 10:7 33:6</p> <p><b>articulate</b> 6:19,21</p> <p><b>asked</b> 16:3 22:9</p> <p><b>asking</b> 5:23 17:19 26:11 27:3 29:5</p> <p><b>attention</b> 19:18</p> <p><b>Attorney</b> 3:4</p> <p><b>attorneys</b> 3:8 4:5</p> <p><b>audible</b> 6:5</p> <p><b>AUGUST</b> 1:5</p> <p><b>Avenue</b> 3:8 5:4 7:25 8:3 42:5,11</p> <p><b>A&amp;O</b> 14:11,11,12 14:17 22:24 23:16</p> <p><b>a.m</b> 2:5</p> <p><b>B</b></p> <p><b>B</b> 50:8</p> <p><b>Babushka</b> 27:16</p> <p><b>Babushkino</b> 12:2,4 13:2,3,5,8,21,24 14:24 18:4,8 20:22,23,25 21:25 22:12 23:16,16 24:21 25:19,19,20 25:24 26:23 27:4 27:13,14,16,17 28:4 47:8</p> <p><b>Baby</b> 20:24</p> <p><b>back</b> 12:13,22 14:6</p> <p><b>balance</b> 16:8 20:16 20:18 21:5,8,9,13</p> <p><b>Baltic</b> 32:14,14 33:10 34:10</p> <p><b>Basania</b> 11:8</p> <p><b>Bates</b> 16:23</p> <p><b>Beach</b> 40:16 42:4,5</p> <p><b>became</b> 14:14</p> <p><b>before</b> 1:2 2:13 4:9 4:10 5:17 6:3 10:13,21 14:10,13 15:17 16:25 20:16</p>	<p>21:5,6 24:12 29:10 31:21 33:9 39:23 40:14 41:17 41:25 43:15,17,18 43:20 49:9</p> <p><b>beginning</b> 23:17</p> <p><b>being</b> 16:13 28:23 37:17</p> <p><b>Bekker</b> 9:21,24 10:9 12:22 14:2 14:22 18:15</p> <p><b>believe</b> 38:4</p> <p><b>between</b> 4:5</p> <p><b>big</b> 19:14 21:21</p> <p><b>bigger</b> 42:12</p> <p><b>bit</b> 35:21 36:18</p> <p><b>blocks</b> 10:17</p> <p><b>blood</b> 51:14</p> <p><b>BOARD</b> 1:2</p> <p><b>Bolgalone</b> 20:24</p> <p><b>book</b> 18:23 19:9</p> <p><b>bottom</b> 16:12 19:18 20:3,12 21:2 23:20 29:24</p> <p><b>bought</b> 31:18,21</p> <p><b>Bowery</b> 40:21</p> <p><b>boy</b> 35:13</p> <p><b>brand</b> 14:23</p> <p><b>bread</b> 8:18 9:15</p> <p><b>break</b> 10:5 24:16</p> <p><b>brief</b> 24:16</p> <p><b>Brighton</b> 40:16 42:4,5</p> <p><b>bring</b> 15:3</p> <p><b>Brinza</b> 20:24,24,24</p> <p><b>Broadway</b> 3:5</p> <p><b>Brooklyn</b> 1:16 2:12 8:4,5 35:11</p> <p><b>brought</b> 9:20</p> <p><b>business</b> 32:5 38:19 40:15 42:12,20,22 43:9 44:21</p> <p><b>butter</b> 9:17,25 11:5 11:6,6,7,8,11 12:2 12:3,8 14:4,5 15:7 15:10 18:8 20:22</p>	<p>20:23,24 22:13 23:16 24:23 26:15 27:2 28:19,19</p> <p><b>buy</b> 9:23 14:5 20:7 21:16,17,22,25 22:12,16 28:16,17 28:20,20 32:9,10 32:10,11,12,15,16 32:18 33:12,12,14 34:6,7,9 40:21 44:16 47:21 48:11 48:11,13,14,16</p> <p><b>buying</b> 10:8 12:13 12:21 45:10 46:10</p> <p><b>C</b></p> <p><b>C</b> 3:2 51:2,2</p> <p><b>call</b> 44:18</p> <p><b>called</b> 13:7 14:7 15:6</p> <p><b>came</b> 22:9</p> <p><b>Cancellation</b> 1:9</p> <p><b>candy</b> 35:12,17,18 35:19 36:22 39:8 40:3,4,5,6,18,19 40:22,24,25 41:4 41:7,8,9,15 42:16 43:19 44:19 47:7</p> <p><b>carry</b> 21:7</p> <p><b>case</b> 15:7</p> <p><b>cases</b> 19:16 21:19 21:20,23</p> <p><b>catalog</b> 46:17</p> <p><b>catalogs</b> 46:16</p> <p><b>caviar</b> 33:11</p> <p><b>certification</b> 4:6</p> <p><b>certify</b> 51:8,13</p> <p><b>check</b> 21:11 22:17 22:21</p> <p><b>cheese</b> 20:8,9 21:19 28:19,21 31:3</p> <p><b>child</b> 38:12</p> <p><b>chocolate</b> 34:19,22 35:2,5,7,9,10,12 35:14,15,16 36:16 36:22,24 37:12 38:9,12,18,23</p>	<p>39:8 40:2,3,4,5,18 40:19,20,22,23,24 41:4,7,7,8,9,12 42:16,20 43:24 44:19</p> <p><b>chocolates</b> 42:2 43:8</p> <p><b>Cinderella</b> 35:17</p> <p><b>clear</b> 12:18</p> <p><b>client</b> 38:2</p> <p><b>COHEN</b> 3:7</p> <p><b>come</b> 15:13 22:8,11 22:19,22 24:16 36:25 39:5 41:3</p> <p><b>companies</b> 48:16</p> <p><b>company</b> 9:11,12 14:5,8,9,19 28:16 33:13,14,15 34:8 38:9,13</p> <p><b>conferred</b> 5:10</p> <p><b>container</b> 25:8</p> <p><b>continue</b> 14:22 21:24</p> <p><b>continuing</b> 37:16</p> <p><b>cookies</b> 8:19</p> <p><b>copy</b> 7:12 18:20 23:23</p> <p><b>corner</b> 30:25 40:17</p> <p><b>CORP</b> 1:10</p> <p><b>Corporation</b> 3:13 22:25 23:17 31:20 38:16</p> <p><b>correct</b> 13:13 27:23 28:2 36:7 38:8,10 38:21 41:23 43:12 44:5,10 45:11</p> <p><b>correctly</b> 44:14</p> <p><b>Counsel</b> 5:9,11</p> <p><b>COUNTY</b> 51:5</p> <p><b>court</b> 2:11 4:10 5:23 6:5 11:9 32:6 45:18</p> <p><b>Cows</b> 11:12,13,14</p> <p><b>custom</b> 18:17</p> <p><b>Cyrillic</b> 13:20 27:8</p> <p><b>D</b></p>
--	--	--	--	--

<b>D</b> 5:2 50:3 <b>dairy</b> 1:7 5:21 14:12,23 22:3 <b>date</b> 17:12 24:9 30:11,16,18,20,21 <b>dates</b> 47:25 <b>day</b> 5:19 9:12,13,17 21:24 49:10 51:19 <b>dealing</b> 34:3 <b>December</b> 17:13 <b>decision</b> 22:14,22 33:12 39:9 <b>degree</b> 36:9,12,19 <b>deliveries</b> 21:14 <b>delivery</b> 9:13 15:15 20:22 21:12,20 22:22 23:2 48:12 <b>deposition</b> 1:14 2:8 5:13,22 11:19 15:18 23:8 38:3 <b>describe</b> 25:17 36:18 <b>developed</b> 42:19 <b>diploma</b> 37:2 <b>direct</b> 19:17 33:4 37:19 <b>disagree</b> 37:20 <b>discovery</b> 29:14 <b>document</b> 11:17 23:6 28:23 29:6 48:2 50:10,13 <b>documents</b> 47:15 48:6,7 <b>down</b> 5:24 6:6 10:5 19:9 46:3 <b>Dozorva</b> 32:4,5 35:6 36:24 37:23 37:24 38:8,15,23 39:5,6,14,17 43:12,22,24 44:7 44:17,20 45:13,14 <b>during</b> 5:22 14:21 15:18 23:8 29:19 38:2 <b>D-O-Z-O-R-V-A</b> 32:8	<b>E</b> <b>E</b> 3:2,2 5:2,2 50:3,8 51:2,2 <b>earlier</b> 26:12 <b>easy</b> 41:11,12 <b>effect</b> 4:10 <b>employ</b> 35:12 <b>end</b> 21:3 <b>ending</b> 19:9 <b>engineer</b> 35:9 39:7 <b>English</b> 6:12 12:5 13:22,23,23 22:15 26:6 27:7 47:5 <b>enough</b> 21:22 <b>entire</b> 30:4 33:2 <b>entitled</b> 51:10 <b>equipment</b> 40:21 <b>ESQ</b> 3:4,10 <b>ever</b> 9:20 31:18 46:15,19 <b>every</b> 9:10,11,13,16 10:2 27:21 <b>everybody</b> 7:10 33:8 41:3,6 <b>everything</b> 5:25,25 8:21 16:9 22:21 23:25 25:25 27:20 37:10 40:23 43:6 44:17 <b>EVID</b> 50:9,11 <b>evidence</b> 24:3,9 <b>exactly</b> 7:17 10:15 13:21 32:23 48:12 <b>examination</b> 4:9 5:18 24:19 37:19 50:4 <b>examined</b> 5:6 <b>example</b> 15:8 34:7 39:9 <b>exceeding</b> 33:3 37:18 <b>except</b> 4:7 5:14 <b>excuse</b> 35:23 <b>Exhibit</b> 11:18 13:12 15:18 16:11 23:7 24:3,8 25:5	25:11 26:21 27:23 28:2,6 30:9,14,23 <b>exhibits</b> 5:13 <b>expand</b> 42:22 <b>experience</b> 37:11 <b>explain</b> 26:9 34:19 44:24 <b>F</b> <b>F</b> 5:2 51:2 <b>factory</b> 37:11 38:24 <b>familiar</b> 15:24 16:4 31:4,15 <b>farmer</b> 28:19,20 <b>feel</b> 35:15 <b>feta</b> 21:19 <b>few</b> 5:23 19:9 <b>Fifth</b> 3:8 <b>filing</b> 4:5 <b>fine</b> 30:6 <b>finish</b> 34:20 35:4 35:10 39:4 <b>finished</b> 6:3 <b>first</b> 6:15,22 38:5 40:8 <b>fish</b> 9:16 32:10,10 32:10,12,15 33:11 33:13,14,15 34:9 47:8 <b>five</b> 10:17 40:25 <b>foil</b> 11:15,15 <b>follow</b> 41:16 <b>following</b> 35:22 <b>follows</b> 5:7 <b>food</b> 10:13,14,18,19 10:24 14:7 35:11 36:12 <b>force</b> 4:10 <b>forgot</b> 39:6 <b>form</b> 4:7 5:14 17:18 <b>four</b> 1:7 5:20 10:16 14:10,14,19,20 18:7,7,7 20:5 22:5 23:14,18 40:24 44:16,25 48:11,16 <b>Fresh</b> 48:12,12,13	48:14 <b>Friedman</b> 3:4 5:9 5:18,20 6:11 7:11 7:16,18 11:16 13:13,17 16:6,10 16:16,23 17:21 19:25 23:5 24:2 24:14 25:3,10 26:2,20 28:5,22 29:8,13,18,24 30:3,17 32:25 37:15,25 38:6 45:22 49:2 50:5 <b>Friendly</b> 10:13,14 10:18,19,24 14:7 <b>Friendship</b> 28:17 28:18,18 <b>from</b> 8:22 9:20,24 10:8,17 12:14,21 14:2,3,3,5 20:5 22:5,16 23:13,16 23:17 28:17,17 29:22 31:19 32:9 32:11,13,16,18 33:13,14 34:9,19 36:4 38:9 40:15 41:4 42:15 43:2,7 44:17 45:10 46:10 46:16,21 47:21 48:12 <b>front</b> 28:6 <b>further</b> 4:6,8 24:4 46:24 51:13 <b>G</b> <b>GALINA</b> 3:13 <b>give</b> 6:24 9:11 15:8 15:9 16:17 18:20 22:20,20 34:4,5 43:21 <b>giving</b> 18:18 <b>go</b> 34:21 35:5,6,8 35:14,16 36:23 37:5,12 40:20 45:3 <b>going</b> 11:16 15:24 19:17 23:5 27:5	30:22 32:25 37:13 <b>Gold</b> 1:10 3:13 31:19,25 32:9,11 32:13,13,15,19,24 33:6,9,10,10,11 33:11,12,15,16,24 34:3,11,14,18,18 34:22 35:2,5,7,8 37:5,6 38:9,11,15 43:24 45:4,10,15 46:10,16,21,23 <b>good</b> 5:19 6:12 22:15 <b>Grandma</b> 11:6,7,14 12:3,6 13:3 <b>Grandmother's</b> 12:8 <b>green</b> 37:4 <b>grew</b> 42:12 <b>grocery</b> 8:17 <b>grow</b> 43:9 <b>H</b> <b>H</b> 5:2 50:8 <b>half</b> 13:11,18 <b>hand</b> 40:20 41:11 42:2 51:19 <b>Handing</b> 7:2 15:22 <b>handwriting</b> 18:9 18:13 <b>hard</b> 35:22 <b>Havarti</b> 31:3 <b>having</b> 5:3 34:13 <b>head</b> 6:6,16,20 29:17 31:5 45:16 <b>held</b> 2:10 <b>help</b> 47:24 <b>her</b> 5:3 6:19,19,20 16:3 17:18,19 28:6 <b>hereto</b> 4:5 <b>hereunto</b> 51:18 <b>herring</b> 32:11,11 <b>him</b> 18:25 32:9 39:19 <b>holding</b> 26:21
--	---	---	---	--



<b>I</b> ID 50:9,11 identification 28:25 30:10,15 identified 31:3 identify 23:11 important 6:2 INC 1:7 include 18:3 incorrect 35:25 inside 24:25 25:17 interested 51:16 International 1:10 3:13 31:19 32:19 interrupt 39:2 interrupted 16:25 invoice 15:9,10 16:8 17:4,25 19:12,14 20:14,21 21:10 invoices 18:18 irrelevant 37:18 Island 5:4 ISSUED 1:5 item 29:20	34:10 kind 8:15,18 11:6 kinds 9:23 11:3 know 8:21 9:18 10:12,15 11:5,7 12:24,24 14:3,7 15:11 17:14 18:6 18:11,12,12 22:18 23:2 24:23 25:2,7 25:22 26:22 28:15 30:20 31:17 32:23 33:8,15,16 34:6 34:10 36:24 37:2 37:3,9,11 38:12 38:13 39:6 40:19 41:6 43:19 45:2,8 45:13,14,17,23,25 45:25 46:5,12,15 known 7:8	LIEBERMAN 3:7 life 47:7 48:14,14 like 8:20,20,20 9:15 9:16,25,25 10:2 10:17 12:13,20 13:3,5 15:9,12,12 19:8,20,21 20:11 21:18 22:24 24:10 24:25,25 25:3,9 25:13,14,15,16,25 26:17,17,19,24,25 27:21,21 28:3,4 28:13,21 33:20,21 34:6,7,9,10 36:23 36:25,25 37:16 38:12,23 40:20,22 40:23,23 47:25 line 17:7 18:7 33:2 37:17 lists 46:20 little 36:18 LLP 3:7 located 7:24 location 10:14 23:15 long 8:6 9:12,12 14:17 21:7 22:12 33:24,25 34:12 46:22 47:22,22 look 11:20 12:12,20 15:20,20,24 20:11 21:2 23:9 28:12 28:13 29:9 30:22 47:14,24,25 48:5 48:20 looking 11:23 12:11,20 15:23 17:2 23:12 30:17 looks 16:3 31:4,15 loud 45:21 lower 30:24	mail 10:15 make 9:9,13,19 10:21 14:19 15:11 15:12,12,13,14,14 15:15 19:15 21:11 21:19,20,22,22 22:14,17,22,25 23:3 25:15 33:11 35:9,18,19 36:21 36:22 37:4,4 38:23 39:7 40:2,3 40:4,5,18,19,22 40:24 41:7,8,10 41:12,15 42:2,16 42:17,18 43:19 44:17,19 45:3,4 48:19 making 36:16 man 44:14 manufacturing 36:13 43:25 many 45:2 46:9 margarine 26:25 mark 30:8,13 marked 11:18 13:11 15:17 23:7 24:8 28:11,24 29:3,6,7 30:5,7,10 30:15 marriage 51:14 material 46:21 Matreshka 7:23 10:25 11:4 17:8 19:13,20,22,24 39:24,24,25 40:2 40:8,11,13,14 41:18,25 42:15 43:4,7,15,19 matter 1:4 19:14 51:10,15,17 may 4:9 5:12,16 maybe 10:10,10 13:23 14:18,18 22:17 32:22,22,23 32:23 33:20,20,21 33:23,23,23 34:4	34:5,18,20 35:4,6 36:22,23 38:22 39:3 40:24,24 44:18 48:7 mean 12:4 33:22 meat 8:20 member 22:12 memory 47:20 mentioned 24:21 26:12 milk 8:18,19 9:11 9:14,25 10:4,12 48:15,16 Milton 5:3 mind 24:13 mine 20:20 minute 16:17 24:11 29:9 mistake 48:19 misunderstand 40:12 moment 24:17 27:6 Montague 2:11 Montello 1:24 5:6 51:6,22 month 21:15 more 12:20 33:20 33:21,22 36:23 46:12 morning 9:8,10,14 moving 24:2 MTR 19:23 much 12:13 47:2,4 48:25 must 9:4,6 31:6 myself 35:19,20 36:23 37:9 40:2,4 40:6,18 47:18 M-A-T-R-E-S-H... 7:23 M-T-R 19:20,20
<b>J</b> January 23:17 Jersey 28:16,18 job 37:3,9 juice 8:19 jump 24:12 just 6:9 7:12 14:11 16:2 25:20 27:5 28:11 29:7,18 30:17 32:22,25 35:21,24 40:12 45:20,23 47:9	<b>L</b> L 4:3 label 12:11,12,19 12:20 24:21 25:18 26:5,12,14 27:4 27:19 28:12,20 30:9 31:4,8,11,16 50:12 labels 31:13 last 46:8 later 28:11 44:22 44:24 lawyer 5:20 lawyers 16:17 leave 47:16,19 less 12:20 let 29:18 48:20 letter 13:22 22:10 22:14,17,20,21,23 22:24 23:2,13,14 23:23 27:11 47:14 47:16,17,19,23 lettering 13:19 27:8 27:8,9 letters 27:12 let's 10:3 license 40:3	<b>M</b> mackerel 34:7 made 21:15 43:23 Maid 48:12,13,13 48:14	<b>N</b> N 3:2 4:3 50:3 name 5:19 6:15,22 7:9,22 9:3 10:19 11:11 14:9,23	

16:7 17:5,5,6,8 19:21,23 39:6 43:5 <b>need</b> 9:10,19 15:7 21:18 22:15,23 39:10,10 40:18 45:18 47:17 <b>needed</b> 15:4 <b>Neither</b> 31:13 <b>nervous</b> 47:6 <b>never</b> 28:15,20,20 29:9 47:21 <b>New</b> 1:16 2:12,14 3:5,5,9,9 5:4 8:5 51:4,5,8 <b>next</b> 20:10,11 21:12 21:12 22:19,22,25 44:11,12,15 <b>nice</b> 44:17 <b>Nikki</b> 1:24 5:5 51:6 51:22 <b>nobody</b> 44:18 45:3 45:3 <b>nod</b> 6:6 <b>Nodded</b> 6:16 26:7 <b>nodding</b> 6:20 <b>Notary</b> 2:13 4:9 5:5 5:17 49:12 51:7 <b>note</b> 33:2 37:16 <b>noted</b> 17:22 49:4 <b>Notice</b> 2:9 <b>number</b> 16:12 21:3 29:21 31:2,10 40:7 <b>numbers</b> 19:4 20:12 <hr/> <b>O</b> <hr/> <b>O</b> 4:3 5:2 <b>oatmeal</b> 8:21 <b>object</b> 17:17 <b>objection</b> 12:15,23 17:21 24:7 33:2 37:16 <b>objections</b> 4:7 5:14 <b>off</b> 29:16 <b>OFFICE</b> 1:1	<b>offices</b> 2:10 <b>official</b> 7:6 <b>often</b> 13:25 <b>oh</b> 19:21 34:11 <b>okay</b> 6:7,13,14 7:8 7:11 8:14,25 14:6 15:8,16 16:15 20:4 22:20 26:11 26:13 28:9 31:18 34:24 35:6,21 37:7,12 39:4,13 42:8,9 44:24 48:5 48:17 <b>Oleg</b> 9:21,24 10:9 10:22 12:14,22 14:2,5,8,22 15:7 22:9 23:24 <b>once</b> 21:16 <b>one</b> 9:12 10:16 15:7 23:3 26:18,18 28:15,18 30:13 31:13 34:18 35:12 38:13 42:6,11,17 43:11 44:15,25 47:10 <b>only</b> 13:23,24 19:19 20:23 26:11 27:3 28:17 32:9,15 35:12 40:25 48:9 48:13 <b>open</b> 9:8 34:18 36:24 40:14 41:8 44:23 <b>opened</b> 42:15,24 43:15 47:19 <b>opening</b> 44:21 <b>opinion</b> 37:8 <b>order</b> 9:9,9,19 15:14 17:23 19:15 20:19 21:18,20 <b>ordered</b> 18:2 <b>original</b> 5:13 7:15 7:17 <b>originally</b> 36:4 <b>other</b> 11:6 43:9 46:20 47:10	<b>out</b> 42:10 45:21 <b>outcome</b> 51:16 <b>over</b> 19:22 <b>own</b> 40:8,11 <b>owned</b> 8:6 41:20 <b>owner</b> 7:19 9:4 32:4 <b>O&amp;A</b> 14:12 <hr/> <b>P</b> <hr/> <b>P</b> 3:2,2 4:3 <b>page</b> 16:12,21 17:2 20:2,11 21:3,5,6 29:7,25 30:24,25 31:9 50:4 <b>pages</b> 19:9 30:23 <b>paid</b> 21:9 <b>paper</b> 11:15 13:11 13:19 18:10 19:5 19:21 24:24,24 26:16,16,17,24 27:25 47:15,24 <b>parties</b> 4:5 51:15 <b>passport</b> 6:23,24 7:13,15,17 <b>PATENT</b> 1:1 <b>Pause</b> 29:12 30:2 48:22 <b>PAVANE</b> 3:7 <b>pay</b> 18:25 19:6 21:9 21:10,10,11 <b>people</b> 22:7 23:4 47:22 48:4,10 <b>period</b> 45:6 <b>personal</b> 34:14 <b>Petitioner</b> 1:8 2:9 3:4 5:12 <b>Petitioner's</b> 11:18 15:18 16:11 23:7 24:3,8 25:4,11 26:3,21 50:9 <b>ph</b> 20:25 35:17,18 <b>pictures</b> 27:19 <b>piece</b> 13:11 18:10 19:4 <b>pieces</b> 47:15,24 <b>PINCOW</b> 3:13	37:23 <b>place</b> 2:13 <b>plant</b> 44:3 <b>plastic</b> 25:8,8,9 26:16 <b>please</b> 6:18 11:20 37:25 <b>Plumson</b> 40:20 <b>point</b> 29:15 30:24 43:11 <b>pointing</b> 13:10,18 25:4 28:7,8 29:20 <b>PONTANI</b> 3:7 <b>possession</b> 5:12 <b>practice</b> 18:17 <b>PRESENT</b> 3:12 <b>preserve</b> 24:6 <b>President</b> 3:13 <b>pretty</b> 12:12 <b>previously</b> 11:17 23:6 <b>price</b> 15:10 34:5 46:20 <b>proceedings</b> 51:9 51:12 <b>produced</b> 29:13 <b>product</b> 8:19 9:25 10:4,13 12:8,21 14:12 15:3,4 18:4 22:16 24:22 31:2 31:9 48:15,16 <b>production</b> 35:10 36:25 38:23 <b>products</b> 14:2,23 22:3 31:19 <b>professional</b> 39:8 <b>proposition</b> 43:21 43:23 45:3 <b>Public</b> 2:13 4:9 5:5 49:12 51:7 <b>purchase</b> 20:5 <b>pursuant</b> 2:9 <b>put</b> 24:11 47:13 <b>p.m</b> 49:4 <b>P0031</b> 16:24 <hr/> <b>Q</b>	<b>quality</b> 34:6 <b>question</b> 4:7 5:15 6:3,9 12:16 16:3 33:17 <b>questioning</b> 29:19 33:3 37:17 <b>questions</b> 5:23 24:4 24:11,17 40:7 46:25 49:2 <hr/> <b>R</b> <hr/> <b>R</b> 3:2 5:2 51:2 <b>raisin</b> 40:22 <b>rather</b> 17:19 <b>read</b> 23:3 29:22 <b>ready</b> 35:15 <b>receipt</b> 15:8 <b>receive</b> 13:25 15:2 <b>received</b> 17:24 46:16,17,20 <b>Recess</b> 24:18 <b>recognize</b> 11:22 17:3 18:9 <b>recollect</b> 27:10 <b>record</b> 13:9 51:11 <b>refer</b> 12:7 19:8 <b>referred</b> 13:15,16 <b>referring</b> 12:9 16:11 17:7 18:15 20:2,10 25:10 26:2 27:22,25 <b>reflect</b> 17:23 19:5 19:10 20:21 <b>reflects</b> 20:4 <b>refrigerator</b> 42:17 42:18 <b>Registrant</b> 1:11 2:10 3:8 <b>REGISTRATION</b> 1:4 <b>related</b> 51:14 <b>remember</b> 10:7,12 13:2,3 24:22 25:22,24 27:5,7 27:12,15,18 31:7 34:2,13,22 39:21 39:22 43:14,16,16
--	---	---	--	--

46:2,4,6,8,11,14 46:18,19,23 48:3 48:9,9 <b>remembered</b> 47:9 <b>rent</b> 40:17 <b>rephrase</b> 12:16 <b>reported</b> 1:23 51:9 <b>reporter</b> 5:24 6:5 11:9 30:8 32:6 45:18 51:7 <b>Reporting</b> 2:11 <b>reserved</b> 4:7 5:15 <b>respect</b> 26:4 <b>respective</b> 4:5 <b>Respondent</b> 29:3 <b>Respondent's</b> 30:9 30:14,23 50:11 <b>response</b> 45:19 <b>retain</b> 5:12 <b>right</b> 5:24 8:12 24:12 27:3 29:25 36:10 41:18 <b>right-hand</b> 30:25 <b>ROGER</b> 3:10 <b>room</b> 21:22 40:17 42:7,11 <b>round</b> 12:25 <b>Royal</b> 32:14,14 33:10 34:10 41:6 <b>Russia</b> 35:11 36:5,9 41:4 <b>Russian</b> 13:23,24 17:10,11 27:8	<b>saw</b> 18:7 28:13,15 47:17 <b>saying</b> 16:15 23:15 34:25 35:3 37:22 38:14 41:17 <b>says</b> 29:25 <b>scope</b> 33:3 37:18 <b>sealing</b> 4:5 <b>Season</b> 14:11 23:14 <b>Seasons</b> 1:7 5:20 14:14,19,20 20:5 22:5 23:18 48:11 <b>second</b> 9:12,13 14:11 32:22 42:17 48:20 <b>see</b> 7:3 17:12 18:21 19:22 20:15,17 21:4,7,13 25:12 44:11,12,13,14,15 44:15 <b>seen</b> 29:10 <b>sell</b> 8:17,18,18,18 8:19 10:12 11:5 14:4 19:15 23:15 23:16 40:5 41:9 41:13 42:14 <b>selling</b> 10:24 11:4 14:22 42:10,20 43:8,9 <b>set</b> 51:19 <b>shaking</b> 31:5 45:16 <b>Sheydvasser</b> 1:14 2:8 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1,20 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1	48:1 49:1,7 50:5 <b>Shorthand</b> 51:6 <b>show</b> 11:16 23:5 28:10 <b>showing</b> 7:12 15:16 <b>shown</b> 28:23 <b>side</b> 25:14 <b>sign</b> 22:10,14,18 23:3,18 <b>signature</b> 23:19 <b>signed</b> 4:9,10 23:23 47:13,23 <b>since</b> 8:10 29:5 46:9 <b>sir</b> 25:22 26:23 35:8 43:10 45:8 48:3 <b>slow</b> 6:11,13 <b>slowly</b> 6:14 <b>small</b> 40:17,17 <b>Smith</b> 41:6 <b>smoked</b> 9:16 32:10 32:10 <b>Sofi</b> 6:15,22 7:3 <b>Sofya</b> 1:14 2:8 49:7 50:5 <b>sold</b> 8:15 <b>Solishka</b> 35:17 <b>some</b> 5:10 9:3,9,17 19:23 24:17 <b>somebody</b> 34:4,5 47:21 <b>something</b> 9:9 12:4 15:17 21:18 28:10 39:2 41:13,13,14 41:14 <b>sometimes</b> 12:24 12:25 21:16,17 <b>Sonia</b> 7:9 44:18 <b>soon</b> 15:11 <b>sorry</b> 7:16 16:20 42:8 47:5 <b>speak</b> 6:11,14 38:2 <b>specifically</b> 13:18 36:15 <b>spell</b> 32:3,7	<b>spelled</b> 7:4 <b>spelling</b> 7:6 <b>spoke</b> 38:15 44:24 <b>spoken</b> 37:22 <b>square</b> 12:25 24:21 24:24,25 25:15,15 25:16,18,23,24 26:4,10,12,14,18 26:24 27:4 31:10 <b>ss</b> 51:5 <b>stamp</b> 16:23 <b>Star</b> 1:10 3:13 31:19 32:2,9,11 32:13,14,15,19,24 33:6,9,16,24 34:3 34:11,14,18 35:2 35:8 37:5,6 38:9 38:11,16 43:24 45:4,10,15 46:10 46:16,21,23 <b>start</b> 41:6,14 43:24 <b>started</b> 10:8 12:13 34:25 39:23,24 40:10 41:12,17,18 41:25 42:2,14 43:8,8,18 <b>starting</b> 14:4 15:11 35:7 38:18 41:5,5 41:13 <b>State</b> 2:14 51:4,8 <b>stated</b> 5:3 <b>Staten</b> 5:4 <b>STATES</b> 1:1 <b>stay</b> 42:6 47:18 <b>still</b> 45:14 47:21 <b>STIPULATED</b> 4:4 4:6,8 <b>stipulations</b> 5:8,11 <b>stop</b> 31:24 34:11,15 34:17,17,23 35:25 42:16 45:4 <b>stopped</b> 33:5,17 34:2 45:9,10 46:9 <b>store</b> 7:20,22,24 8:7 8:16,17,23 9:5,8 9:10,19 10:14,15	10:17,20,24 14:7 14:7 15:3 17:5,9 17:24 19:12 20:5 20:14,22 21:21 23:14 34:20 35:5 41:2,9,15,18 42:15,18,19,24 43:2 47:18 48:13 <b>Street</b> 2:11 40:16 40:16 42:6,11 <b>Strella</b> 35:18 <b>Streva</b> 40:23 <b>stuff</b> 41:4 <b>Subscribed</b> 49:9 <b>Suite</b> 2:11 3:5 <b>sure</b> 7:10 14:15 18:22,24 24:14 29:11 <b>sworn</b> 4:9,10 5:5,17 49:9 <b>S-O-F-I</b> 6:15 <b>S-O-F-Y-A</b> 7:4
<b>T</b>				
<b>T</b> 4:3,3 50:8 51:2,2 <b>take</b> 6:6 9:14,16,17 11:20 15:9 24:15 35:23 40:16 42:17 43:20,20 <b>taken</b> 2:9 24:18 <b>taking</b> 5:24 <b>talk</b> 44:22 <b>tell</b> 21:8 29:16 30:19 <b>telling</b> 17:18 <b>ten</b> 10:11 12:22 32:23 33:6,18,20 33:21,22 46:13 48:3 <b>testified</b> 5:6 <b>Thank</b> 24:5 47:2,4 48:24 49:3 <b>their</b> 23:15 <b>thing</b> 30:4 47:10 <b>things</b> 8:15 9:4,20 9:23 10:8,24 11:4 43:9 47:25				

<b>think</b> 9:18 10:10,11 13:22,24 14:12,18 17:13 18:14 19:13 20:8 25:2 26:5 27:5,20 28:3 29:2 32:8 33:5 34:20 35:4,11 36:22 38:13,22 41:10 48:18 <b>thinks</b> 12:17 <b>Thompson</b> 3:10 5:8 6:18,25 7:13,14 12:15,17,23 13:9 13:14 16:2,20 17:17 24:6,10,15 24:19 28:8 29:2 29:11,15,21 30:6 30:12,19 37:20 38:4 46:24 47:9 47:12 48:17,23 50:6 <b>though</b> 4:10 <b>thought</b> 44:7 <b>three</b> 10:16 21:22 40:24 44:16,25 48:8,15,15 <b>through</b> 15:21 35:23 38:25 48:21 <b>time</b> 2:13 4:7 5:15 9:13,14,15 10:2 10:23 11:3 14:4 14:17,21 19:23 21:11,12 22:6,8 22:12,19,25 27:21 28:17 33:24,25 34:6,12,18,19,23 35:22 39:21,22 41:11,21 42:6 43:20 44:11,12,15 45:7 46:8,22 47:22 48:6,8 49:4 <b>together</b> 20:19 21:10 24:12 47:13 <b>top</b> 13:10,18 25:12 25:13,25 28:3 29:16	<b>TRADEMARK</b> 1:1 1:2 <b>Trading</b> 1:10 3:13 31:19 38:16 <b>training</b> 36:20 <b>transcript</b> 5:16 51:11 <b>trial</b> 1:2 4:8 5:16 <b>true</b> 23:22 51:11 <b>try</b> 6:10 15:14 <b>trying</b> 34:24 41:16 <b>turn</b> 16:17 18:25 <b>twice</b> 9:15 21:17 <b>two</b> 10:16 11:11,13 11:14 14:18 19:15 21:9,10,19,20,22 44:15,25 48:8 <b>type</b> 46:3 <hr/> <b>U</b> <hr/> <b>U</b> 4:3 <b>Um-hum</b> 10:6 38:17 43:13 <b>under</b> 14:23 <b>understand</b> 6:8,10 19:16 34:24 36:20 37:21 43:17 <b>understanding</b> 39:3 <b>understood</b> 35:24 36:2 <b>UNITED</b> 1:1 <b>university</b> 35:10 <b>until</b> 5:15 6:2 8:22 <b>upset</b> 35:13 <hr/> <b>V</b> <hr/> <b>V</b> 5:2 <b>vacation</b> 9:2 <b>Vague</b> 12:15 <b>verbal</b> 45:19 <b>very</b> 6:11,13,14 35:13,13 44:13 47:2,4,4 48:24 <b>Vilatar</b> 33:14 34:8 34:8 <b>visit</b> 36:25	<hr/> <b>W</b> <hr/> <b>wait</b> 6:2 44:25 45:2 <b>waived</b> 4:6 <b>want</b> 29:6 34:21 35:8,23,24 37:6 38:25 39:11 44:13 <b>way</b> 48:14 51:16 <b>week</b> 9:15 21:17,17 <b>Welagutzkia</b> 20:25 <b>welcome</b> 47:3 <b>well</b> 7:9 10:3 16:2 16:18 26:6 30:3 45:14 <b>were</b> 10:21,24 11:4 12:9,21 17:2,18 21:14 26:5 27:18 29:19 34:25 35:3 36:21 40:13 41:17 42:10 <b>we'll</b> 44:14 <b>WHEREOF</b> 51:18 <b>whole</b> 19:21,21 21:18 29:6 <b>witness</b> 11:17 13:10 16:10,22 19:25 23:6 25:6,12 26:20,22 28:5,24 31:5 45:16 47:3 48:24 50:4 51:18 <b>word</b> 25:20 38:5 <b>words</b> 26:6 <b>work</b> 9:18 22:6 23:3 28:16 31:22 31:25 32:2,5,9,13 32:14,15,24 33:8 33:9,9,10,12,15 33:24 34:11,17,21 34:23,25 35:5,7 35:14,16 36:23 37:2,6 38:22 39:10,11,11,25,25 41:5,5,7 45:4,5 46:23 47:21,21 <b>worked</b> 8:23 48:3,9 <b>working</b> 33:5,18 34:20 37:5 38:15	40:13 45:9 <b>write</b> 18:11 19:19 19:23 22:16 <hr/> <b>X</b> <hr/> <b>x</b> 1:3,6,12 50:3,8 <hr/> <b>Y</b> <hr/> <b>Y</b> 5:2,2 <b>year</b> 32:23 44:15 44:16,16,25,25,25 45:2,2 <b>years</b> 8:8,9 10:11 12:22 14:18 32:24 33:6,18,20,21,22 40:25 44:16 46:9 46:13 48:3,8,8 <b>yogurt</b> 20:8,9 31:3 <b>York</b> 1:16 2:12,14 3:5,5,9,9 5:4 8:5 51:4,5,8 <hr/> <b>0</b> <hr/> <b>01</b> 17:15 21:16 <b>01-16-99</b> 17:16 <hr/> <b>1</b> <hr/> <b>1</b> 11:18 13:12 25:5 25:11 26:3 27:23 28:2,6 <b>1:00</b> 49:4 <b>10</b> 11:19 15:19 23:8 <b>10007</b> 3:5 <b>10176</b> 3:9 <b>10306</b> 5:4 <b>11</b> 23:7 24:3,8 50:10 <b>11:52</b> 2:5 <b>11021</b> 1:16 <b>11201</b> 2:12 <b>11214</b> 8:5 <b>12</b> 33:23 <b>15</b> 19:10 <b>16</b> 17:13 <b>17</b> 1:15 2:4 50:2 <b>1804</b> 3:5 <b>189</b> 2:11	<b>1988</b> 8:10,22 <hr/> <b>2</b> <hr/> <b>20</b> 8:8,8 30:23,24 30:25 42:5 <b>20th</b> 7:25 8:3 42:11 <b>2001</b> 1:5 <b>2008</b> 1:15 2:4 11:19 15:19 23:8 49:10 50:2 51:20 <b>21</b> 1:5 20:3 30:23 31:9 <b>223</b> 5:3 <b>225</b> 3:5 <b>24</b> 50:6,10 <b>24,79,287</b> 1:4 <b>27</b> 20:12 <hr/> <b>3</b> <hr/> <b>3</b> 15:18 16:11 26:21 29:3,4 30:9 50:12 <b>30</b> 50:12,13 <b>309</b> 20:15 <b>31</b> 29:25 <b>36</b> 21:3 <b>39</b> 20:18,18 <hr/> <b>4</b> <hr/> <b>4</b> 30:14,23 50:13 <b>41501</b> 29:23 <b>42025</b> 31:2 <b>48001</b> 31:10 <hr/> <b>5</b> <hr/> <b>5</b> 20:19 50:5 <b>503</b> 2:12 <b>551</b> 3:8 20:19 21:5 21:5 <hr/> <b>8</b> <hr/> <b>8-0-2-2</b> 8:2 <b>80</b> 40:15 <b>8022</b> 7:25 <b>81st</b> 42:6,11 <b>86</b> 40:16 <b>8829-9</b> 16:13,22 <hr/> <b>9</b> <hr/>
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97 10:11,11  
99 17:13 23:17

# **PETITIONER'S EXHIBIT 1**

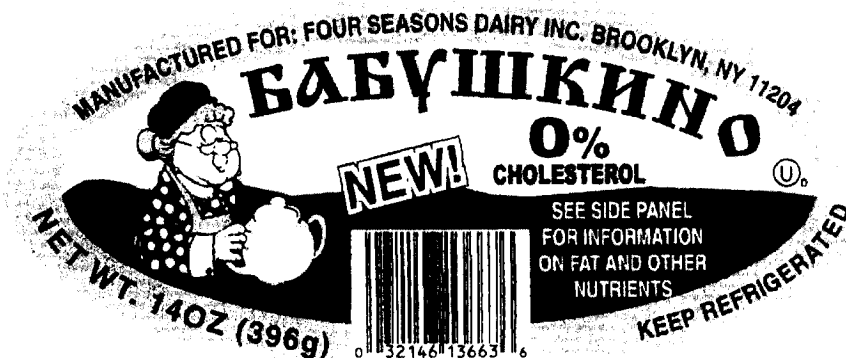
**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

EXHIBIT

Petitioner-1  
4/10/08 BC

EXHIBIT

Four Seasons  
Gold Star  
#92042082



## **PETITIONER'S EXHIBIT 3**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**



Trade Secret/Commercially Sensitive

File No. \_\_\_\_\_  
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100 Your Account Belongs to Adams - If Lost or Found, Return it to Us

EXHIBIT

Petitioner-3  
4/16/02 BR

EXHIBIT

FOR SEASONS  
Gold Star  
#92042082

Adams

SALES BOOK 1200-12

50 SETS

3 11/32" x 5 5/8"  
(8.6 cm x 14.3 cm)



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1710 WEST 4th STREET SUITE C  
BROOKLYN, NY 11223  
TEL (917) 805-4625

DT-11-94

Reg. No.

Account  
Forward

4571

24

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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Condition	Control (%)	MCI (%)	AD (%)
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B	~95	~75	~35
C	100	80	40
D	~95	~75	~35

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Anchor Stated in Date 11 Corps in Ground Dec 1910

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL. (917) 805-4695

01-16-99

M 111 Blue  
 Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward	
1	BULLFROG KPL	30	
2	BULL BARBUDA	21	
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6	BALANCE		
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Account Stated to Date. If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

826  
10-2-96

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.


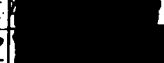

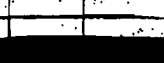

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL. (917) 805-4095

01-12-96

M *U. B. Geller*

Address

Reg. No.	Clerk	Account Forward	
1	<i>Volodars</i>	<i>30</i>	
2	<i>Prinonina</i>	<i>84</i>	
3	<i>BABY</i>	<i>622</i>	
4	<i>Odesin</i>	<i>663</i>	
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8829-3

Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE C  
 BROOKLYN, NY 11223

TEL. (817) 805-4695

M. GOLDEN AREA

Address

Reg. No.	Clerk	Account Forward
1	B. 66 COM 15130	
2	B. 66 VOL 10124	
3	B. 66 BABY 84	
4	B. 66 NAZAR 84	
5	B. 66 VOL 600 30	
6	B. 66 NAMI 1245	
7	B. 66 SUI 1272	
8	STR 126 CAC 10	
9	B. 66 ODER 1360	
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13	BALANCE	
14	8829-	
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1200 Your Account Stated to Date

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (917) 805-4635

M *MILLER* *MADON*  
 Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward	
1	B. 46 BAZAR	24	
2	B. 46 V2060	3x30	
3	B. 46 A2A OD.	1185	
4			
5	B. 46 A2A BARY	1245	
6	B. 46 A2A BARY	875	
7			
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10	B. 46 A2A		
11			
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13	B. 46 A2A		
14	8829-5		
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Trade Secret/Commercially Sensitive

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 17TH STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL. (817) 805-4895

01-15-99

M Udima  
 Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward	
1	BABY sur	30	
2	Udima	30	
3	BABY BIRD	30	
4	Odesio BIRD	30	
5			
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1200 Your Account Stated to Date -- If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

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 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL. (917) 806-4696

01-15-93

PITINEX

Address

Reg. No.	Clerk	Account Forward	
1	B. 66. BARNARD	87	
2	B. 16 BARNARD	12	
3	B. 11 VOLOVOV	15	
4	BARNARD	1330	
5	BARNARD BARNARD	1252	
6	BARNARD SURGE	1279	
7	MARINER	1	
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1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE 60  
 BROOKLYN, NY 11223  
 M TEL (817) 805-1885

Address *LOPA - New York*

Reg. No.	Clerk	Account Forward		
1	<i>Pr 6610</i>	<i>04</i>		
2				
3	<i>BABUJKA</i>			
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1200 Your Account Stated to Date - If Error is Found Return at Once

Trade Secret/Commercially Sensitive

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 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
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THANK YOU  
 Call Again

FOUR SEASONS DAIRY  
 1710 WEST 4TH STREET SUITE 1  
 BROOKLYN, NY 11223  
 TEL: (917) 805-1805

DI-1693

MATPECERICA

Address

Reg. No.	Clerk	Account Forward
1	FETD	2424
2	Yobir's Linn	432
3	B.H. KAN	24
4	BAB. L. H. 24	
5	Tim Baisbaw	516
6	Duke F. N. M. P.	30
7	BAIN 2A ODE	1215
8	BAIN 2A BAIN	1257
9		
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12	BAIN 2A	
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1200 Your Account Stated to Date - If Error Is Found - Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET SUITE C5  
 BROOKLYN, NY 11223  
 M TEL 3917-805-4695

01-16-90

Address

610 Ave 1 - Arden Ave

Reg. No.	Clerk	Account Forward	
1	Bubb Com	18130	
2	R. H. Kow	10124	
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8829-10

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

THANK YOU  
Call Again

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
M TEL (917) 805-4005

Address

*Odessa* *01-16-99*

Reg: No.	Clerk	Account Forward
1		
2	<i>BROOK 3124</i>	
3		
4	<i>ISABU...</i>	
5		
6		
7		
8		
9		
10	<i>3A...</i>	
11	<i>MM-19</i>	
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13		
14	<i>8829-11</i>	
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1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET SUITE C5  
 BROOKLYN, NY 11223

M. TEL. (917) 805-4695

Address

6060 1st Ave - Bklyn

Reg. No.	Clerk	Account Forward
1	B. W. P. BAZZAR	2.21
2	B. W. P. VOLVOGA	30
3	B. W. P. ZACCH	12.90
4	STRING CHEESE	12
5	BABY B. W. P.	11.68
6	SULBURNI CHEESE	12.81
7	COLD CREAM	12
8	B. W. P. VOLVOGA	30
9	B. W. P. ZACCH	12.00
10	STRING CHEESE	12
11	STR. B. W. P. CHEESE	12.35
12	SULBURNI CHEESE	12.56
13	B. W. P. ZACCH	12.33
14	8829-12	

1200 Your Account Stated to Date

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy

Call Again

THANK YOU

TEL (917) 805-4895

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M. TEL (917) 805-4895

01-17-95

Address

G X L 114

Reg. No.	Clerk	Account Forward	
1	B. 6050	212	
2	B. 6050	172	
3	B. 6050	172	
4	B. 6050	172	
5	B. 6050	172	
6			
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14	8829-13		
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1200 Your Account Stated to Date - If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE Q5  
BROOKLYN, NY 11223  
M. TEL. (817) 805-4696

Address *7 AIR ST NW*

Reg. No.	Clerk	Account Forward	
1	<i>BARBER</i>	<i>2104</i>	
2	<i>BARBER</i>	<i>2104</i>	
3	<i>BARBER</i>	<i>2104</i>	
4	<i>BARBER</i>	<i>2104</i>	
5	<i>BARBER</i>	<i>2104</i>	
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8829-14

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

M TEL (817) 805-4695

Address

Reg. No.

Clerk

Account  
Forward

1

2

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8829-15

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive




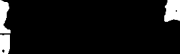
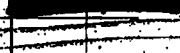


We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 805-4695

0-1793

Address *Albany*

Reg. No.	Clerk	Account Forward	
1	<i>F. E. R.</i>	<i>2/11</i>	
2	<i>V. J. DODD</i>	<i>30</i>	
3	<i>S. J. RINGOLD</i>	<i>12</i>	
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**8829-16**

1200 Your Account Stated to Date - If Error is Found, Return at Once.

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends,  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET SUITE C5  
BROOKLYN, NY 11223  
M. TEL (917) 805-4885

Address *Soll*

Reg. No.	Clerk	Account Forward
1	<i>Don Brinkley</i>	
2	<i>BORUNDA B.</i>	
3	<i>DADY</i>	<i>162</i>
4	<i>adene</i>	<i>199</i>
5		
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8829-17

Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU

Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

M TEL (917) 805-4895

Address

Reg. No.	Clerk	Account Forward
1	BUTOW	14
2	BUTOW	14
3	FEIA	14
4	BUTOW	14
5		
6		
7		
8		
9		
10	BUTOW	14
11	YOBUE	14
12	YOBUE	14
13		
14		8829-1

Your Account Stated to Date. If Error Found, Return at Once.

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

OUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
M. TEL. (917) 805-4698

Address

Reg. No.	Clerk	Account Forward
1	B. 66 COMAR 25130	
2	B. 66 COMAR 19124	
3		
4		
5		
6	BALANCE	
7		
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9		
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14	8829-19	
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Your Account Stated to Date - If Errors Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (917) 805-4635

Address *J.P. LINE*

Reg. No.	Clerk	Account Forward
1	B. 66 K.D.W. 5/24	
2	G. 66 B.A.B. 5/24	
3	B. 66 V.226 4/30	
4	B. 66 T.A.R.M. 3/30	
5	B. 66 Z.A. B.A.Y. 2/25	
6	11:55-11:42	
7	1:57-1:20 O.A. 11/24	
8	12:40-12:40	
9	B. 66 Z.A. V.26 W. 2/28	
10	12:13-11:11	
11	4:60 P.M. C.A.R.S. 8/7/7	
12	4:52-4:22	
13		
14	8829	
15		

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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4TH STREET SUITE C5  
BROOKLYN, NY 11223  
M. TEL (917) 805-4895

Address *1160 Ocean*

Reg. No.	Clerk	Account Forward
1	<i>6/10/93</i>	<i>6/10/93</i>
2	<i>4/3/8/14/9</i>	<i>8/14/9</i>
3		
4	<i>BAID</i>	
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14	<b>8829-21</b>	
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1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

THANK YOU  
Call Again  
We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY, INC.  
1730 WEST 4th STREET SUITE 65  
BROOKLYN, NY 11223  
TEL (212) 806-1695

M. *01-19-90*  
Address *WILLIAM MARRAS*

Reg. No.	Clerk	Account Forward
1	<i>BAK VOW</i>	<i>3.10</i>
2	<i>BAK VOW</i>	<i>1.4</i>
3	<i>BAK VOW</i>	<i>1.1</i>
4	<i>BAK BABUSHAY</i>	
5		
6		
7	<i>BAK</i>	
8		
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8829-22

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

10852

THANK YOU  
Call Again  
We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY  
1710 WEST 4th STREET  
BROOKLYN, NY 11223  
TEL. (212) 805-4800

Address

Reg. No.	Clerk	Account Forward
1	BRONX	21
2	BRONX	30
3	BRONX	115
4		
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14		8829-23
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Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 40th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL 401-758-4605  
 Address *1710 West 40th St*

*01-82-4995*

Reg. No.	Clerk	Account Forward
1	<i>BARBARA</i>	<i>15</i>
2	<i>VIOLONA</i>	<i>15</i>
3	<i>TERESA</i>	<i>1148</i>
4		
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8829-24

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY INC.**  
 1710 WEST 4th STREET, SUITE C  
 BROOKLYN, NY 11223  
 TEL: (917) 805-4885

Address *DEA*

Reg. No.	Clerk	Account Forward
1	<i>ALICE BARRON</i>	
2		
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**8829-25**

1800 Your Account Stated to Date - If Errors Found, Return at Once

Trade Secret/Commercially Sensitive

# Call Again

THANK YOU

TEL (917) 805-4695

**Clerk**

Account  
Forward

Reg. No.	Clerk	Account Forward
1	<i>W. H. W. 103</i>	
2	<i>Yob. 105 106 107 108</i>	
3		
4		
5		
6		
7	<i>B. 101</i>	
8		
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14		
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1200 Your Account Stated to Date: If Error Is Found, Return at Once

**Trade Secret/Commercially Sensitive**

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET SUITE 65  
 BROOKLYN, NY 11223  
 TEL (817) 806-4695

01/28/01

Address MIAMI PRIMA

Reg. No.	Clerk	Account Forward
1	BUTLER V206	8/2
2	BL 1017A ROW	8/4
3	BL 1017A ONE	8/4
4	BANDON	10/0
5	BL 1017A BL 34	11/10
6	BL 1017A BL 6M	12/11
7	BL 1017A BL 11	8/4
8		
9		
10	BL 1017A	
11		
12		
13		
14		
15		

8829-27

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE 65

BROOKLYN, NY 11223

M. TEL (917) 803-4893

Address

Reg. No.	Clerk	Account Forward
1	13.64 Row	01x2
2	13.66 Row	01x3
3	13.68 Row	01x4
4	13.70 Row	01x5
5	13.72 Row	01x6
6	13.74 Row	01x7
7	13.76 Row	01x8
8	13.78 Row	01x9
9		
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15		

8829-28

Don't forget to return this card to us if you find an error in the account stated to date. If error is found, return at once.

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET SUITE C5

BROOKLYN, NY 11223

M TEL (917) 895-4693

Address

Reg. No.	Clerk	Account Forward
1	BUBBER	
2	B. B. B. B. B.	
3	B. B. B. B. B.	
4	B. B. B. B. B.	
5	B. B. B. B. B.	
6		
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14		
15		

8829-29

Your Account Stated to Date - If Error Is Found, Return to Office

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE 65  
 BROOKLYN, NY 11228  
 M TEL (917) 805-4895

Address: *6212 1st Ave. 11228*

Reg. No.	Clerk	Account Forward
151	<i>13116 LOW</i>	<i>15140</i>
152	<i>13116 LOW</i>	<i>15140</i>
153	<i>13116 LOW</i>	<i>15140</i>
154	<i>13116 LOW</i>	<i>15140</i>
155	<i>13116 LOW</i>	<i>15140</i>
156	<i>13116 LOW</i>	<i>15140</i>
157	<i>13116 LOW</i>	<i>15140</i>
158	<i>13116 LOW</i>	<i>15140</i>
159	<i>13116 LOW</i>	<i>15140</i>
160	<i>13116 LOW</i>	<i>15140</i>
161	<i>13116 LOW</i>	<i>15140</i>
162	<i>13116 LOW</i>	<i>15140</i>
163	<i>13116 LOW</i>	<i>15140</i>
164	<i>13116 LOW</i>	<i>15140</i>
165	<i>13116 LOW</i>	<i>15140</i>

*8829-3*

1200 Your Account Stated to Date - If Error - Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL (812) 805-8895

Address

Reg. No.

Clerk

Amount  
Forward

1	15.00	201	27.50	
2	15.00	1-11-11	27.50	
3	15.00	1-11-11	27.50	
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8829-31

Four Seasons Dairy, Inc. 1710 West 4th Street, Suite C5 Brooklyn, NY 11223 Tel (812) 805-8895

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL. (817) 805-4085

Address

Reg. No.

Clerk

Account  
Forward

1	400101	hmm	
2	140-411-411		
3			
4	Bx 6650	2/21	
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13			
14	8829-32		
15			

1200 Your Account Stated in Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

THANK YOU  
Call Again

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY, INC.  
1710 WEST 4TH STREET, SUITE C5  
BROOKLYN, NY 11223  
M TEL (917) 805-4005

OF 219

Address

MALES

Reg. No.	Clerk	Account Forward	
1	Bob BAB	04	
2	Rob LOW	01	
3	Rob LOW	30	
4			
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8829-33

1300 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C6  
 BROOKLYN, NY 11223  
 TEL (212) 805-4898

Address

Reg. No.

Clerk

Account  
Forward

1	J. ADAMS	32	
2	U2106012	33	
3	U2106012	34	
4			
5			
6			
7	B. ADAMS		
8			
9			
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11			
12			
13			
14	8829-34		
15			

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL (817) 605-4685

Address

Reg. No.

Clerk

Account  
Forward

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8829-35

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 - If we please you, tell your friends.  
 - If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 46th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL (917) 805-4635

Address MATP...

Reg. No.	Clerk	Account Forward
1	17366 VOL	PA
2	BABAR BAB	PA
3	VOLGORD	IS
4	BALZAD	DC
5	BANK BAR	PA
6	GOVAT CUB	SH
7	419-46-24	
8		
9		
10		
11	BALAN	
12		
13		
14	8829-36	
15		

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL: (917) 805-4635

Address

Reg. No. Clerk Account Forward

1	10/10/00	1735	
2	10/10/00	1735	
3	10/10/00	1735	
4	10/10/00	1735	
5	10/10/00	1735	
6	10/10/00	1735	
7	10/10/00	1735	
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13			
14			
15			

8829-37

1200 Your Account Stated to Date. If Error Is Found, Return at Once.

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (017) 805-4095

Address

620 1st Ave

Reg. No.	Clerk	Account Forward	
1	12-16-1964 10:30		
2	12-16-1964 30		
3	12-16-1964 14		
4	12-16-1964 14		
5			
6			
7			
8	BALANCE		
9			
10			
11	PAID		
12	12-16-1964		
13	12-16-1964		
14	8829-38		
15			

1200 Your Account Stated to Date - If Error Is Found Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

**A & R CORP.**  
**FOUR SEAS DAIRY, INC.**  
 1710 WOODBURN AVENUE, SUITE C6  
 BROOKLYN, N.Y. 11223  
 M TEL: (917) 805-4695

Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward	
1	DUANE	1/25	[REDACTED]
2	BAILEY	1/2	[REDACTED]
3	BAILEY	1	[REDACTED]
4	BAILEY	1/68	[REDACTED]
5			[REDACTED]
6			[REDACTED]
7			[REDACTED]
8			[REDACTED]
9	120600	15	[REDACTED]
10			[REDACTED]
11			[REDACTED]
12			[REDACTED]
13			[REDACTED]
14	8829-3		[REDACTED]
15			[REDACTED]

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive



We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4TH STREET, SUITE G5  
 BROOKLYN, NY 11223  
 M. TEL. (817) 895-4895

Address

Reg. No.	Clerk	Account Forward
1	<i>Mon</i>	<i>84</i>
2	<i>Maurice</i>	<i>84</i>
3	<i>Sullivan</i>	<i>84</i>
4		
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**8829-40**

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL (917) 806-4695

Address:

*Delosio*

Reg. No.	Clerk	Account Forward
1	BONITA BARRIS	
2	STINE NERMA	
3	STINE PERIN 681	
4		
5		
6		
7		
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9		
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1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
**Call Again**

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M TEL: (917) 805-4695

Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward	
1	B91127A DUCH	1110	[REDACTED]
2	B91127A BARN	1130	[REDACTED]
3	VOID - KEY		
4	B91127A DUCH	1110	[REDACTED]
5	B91127A DUCH	1110	[REDACTED]
6	B91127A DUCH	1110	[REDACTED]
7	SULLIVAN	1110	[REDACTED]
8	SULLIVAN	1110	[REDACTED]
9			
10			[REDACTED]
11			[REDACTED]
12			[REDACTED]
13			[REDACTED]
14			[REDACTED]
15			[REDACTED]

8829-42

1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL (917) 805-4695

Address

Reg. No. Clerk Account Forward

1	BS R6670 3/2			
2	B6670 2/30			
3	B6670 2/30			
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1200 Your Account Stated to Date - If Error is Found, Return at Once

Trade Secret/Commercially Sensitive

# THANK YOU Call Again

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
M TEL (917) 806-4885

Address

Reg. No.

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We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 M - TEL 49171805-4095

Reg. No.	Client	Account Forward
1	B. H. COFFEE CO.	
2	B. H. COFFEE CO.	
3	B. H. COFFEE CO.	
4	B. H. COFFEE CO.	
5	B. H. COFFEE CO.	
6	B. H. COFFEE CO.	
7	B. H. COFFEE CO.	
8	B. H. COFFEE CO.	
9	B. H. COFFEE CO.	
10	B. H. COFFEE CO.	
11	B. H. COFFEE CO.	
12	B. H. COFFEE CO.	
13	B. H. COFFEE CO.	
14	B. H. COFFEE CO.	
15	B. H. COFFEE CO.	

8829-1

1200 Your Account Valid to Date - If Error is Found Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET SUITE C5  
BROOKLYN, NY 11223  
M TEL 1011 805-4695

Address

Reg. No.

Clerk

Account  
Forward

1	1266-1266	50	
2	1266-1266	14	
3	1266-1266	125	
4	1266-1266	125	
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1200 Your Account Stated to

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

THANK YOU  
 Call Again

FOUR SEASONS DAIRY, INC.

710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223

M TEL (917) 805-4695

Address

Reg. No.

Clerk

Account Forward

1	✓	3/10/85	3/10
2	✓	3/10/85	3/10
3	✓	3/10/85	3/10
4	✓	3/10/85	3/10
5	✓	3/10/85	3/10
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1200 Your Account Stated to Date - If

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Trade Secret/Commercially Sensitive



We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

THANK YOU  
Call Again

FOUR SEASONS DAIRY, INC.  
1710 WEST 4th STREET, SUITE C5  
BROOKLYN, NY 11223  
TEL: (917) 815-4695

Address

Reg. No.

Clerk

Account  
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1200 Your Account Stated to Date - If Error Is Found, Return at Once

Trade Secret/Commercially Sensitive

We appreciate your patronage and  
hope we may continue to merit it.  
If we please you, tell your friends.  
If we don't, tell us.  
We strive to satisfy.

Call Again

THANK YOU

**FOUR SEASONS DAIRY, INC.**

1710 WEST 4th STREET, SUITE C5

BROOKLYN, NY 11223

TEL. (917) 805-4895

Address

Reg. No.

Clerk

Account  
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Trade Secret/Commercially Sensitive

We appreciate your patronage and  
 hope we may continue to merit it.  
 If we please you, tell your friends.  
 If we don't, tell us.  
 We strive to satisfy.

**THANK YOU**  
 Call Again

**FOUR SEASONS DAIRY, INC.**  
 1710 WEST 4th STREET, SUITE C5  
 BROOKLYN, NY 11223  
 TEL. (817) 805-4695

Address

Reg. No.	Clerk	Account Forward
1	F.F.T.A.	[Redacted]
2	[Redacted]	[Redacted]
3		
4		
5		[Redacted]
6		[Redacted]
7		
8	ROBERT W. WILSON	[Redacted]
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12		[Redacted]
13		[Redacted]
14		[Redacted]
15		

8829-50

200 Your Account is Subject to Date and Errors Found Return at Once

Trade Secret/Commercially Sensitive

Trade Secret/Commercially Sensitive

R. B. M.

4-STAR

KATBA

BELOGA

VICTORIA

HATPOK

HILLERS

NATID

W. C. B.

KEIR

W. C. B.

W. C. B.

W. C. B.

W. C. B.

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W. C. B.

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W. C. B.

*Handwritten text, possibly "RECEIVED" or similar, in cursive script.*

Trade Secret/Commercially Sensitive

# **PETITIONER'S EXHIBIT 11**

**Cancellation No.: 92042082**  
**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.**  
**Offered by Petitioner, Four Seasons Dairy Inc.**

**MATRESHKA INC.**  
**8082 20<sup>TH</sup> AVENUE**  
**BROOKLYN, NY 11214**  
**TEL. (718) 256-0603**



May 15, 2003

To Whom It May Concern,

Please be advised that MATRESHKA, INC., has been buying butter blend product from FOUR SEASONS DAIRY INC., 2402 65<sup>th</sup> St., Suite B3, Brooklyn NY 11204, under the BABUSHKINO (GRANDMATHERS) brand, since December 1997, under the A&O CORPORATION and beginning in January 1999, under the FOUR SEASONS DAIRY INC.

MATRESHKA INC., has been purchasing this item from the FOUR SEASONS DAIRY INC., on a weekly basis.

Sincerely,

Sonya

President

## **RESPONDENT'S EXHIBIT 3**

**Cancellation No.: 92042082**

**Four Seasons Dairy Inc. v. International Gold Star Trading Corp.  
Offered by Respondent, International Gold Star Trading Corp.**